

Minutes of a Town of Riverhead board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Tuesday, August 21, 2012 at 7:00 p.m.

**PRESENT:**

Sean Walter,	Supervisor
John Dunleavy	Councilman
James Wooten,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman

**ALSO PRESENT:**

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

**DEPARTMENT HEADS PRESENT:**

Jeff Murphree  
Meg Ferris  
Dave Hegermiller  
Chis Kempner  
Rick Hanley  
Bill Rothaar

(The meeting was opened at 7:00 p.m.)

(The Pledge of Allegiance was recited)

Supervisor Walter: "-- called out on an emergency and Laura Locida is going to lead us in the invocation. Would you like us to sit or stand?"

Laura Locida: "We could stand, that would be great."

Supervisor Walter: "Would you like to stand? Feel free."

Laura Locida: "Energizing."

Supervisor Walter: "There you go."

Laura Locida: "Welcome all this evening the Riverhead town board meeting. Let us all bow our heads and think how that we can support our leaders and that they, our leaders, help to support our town people."

Let us all be about clear thinking and fairness. Please let us be kind. God bless us all.

Thank you."

Supervisor Walter: "Thank you, Laura. Where are you from, Miss Locida? I shouldn't-- where are you from?"

Laura Locida: "Wading River."

Supervisor Walter: "Well, thank you very much. Feel free to do the invocation at any time. It's a-- "

Laura Locida: "I do it at our family dinners."

Supervisor Walter: "Well, it's a-- I-- want to say non-denominational volunteer type thing. So if anybody wants to do it, they're welcome to do it. Just call my office and we sort of maintain a list and that's how it works."

Okay, we've got-- you okay? There's going to be two resolutions that we're going to table them. We'll talk about them later. Highway department transfer because that's leaving our sanitation department without tipping fees and possibly the home improvement street lighting one.

Let's-- Denise Lucas.

Denise Lucas, why don't you-- "

Councilman Wooten: "Hi, Denise, how are you?"

Denise Lucas: "Hello, Jim."

Councilman Wooten: "Today the town board is taking the

time, as we do from time to time, to recognize those in our community that volunteer their time to try to make a difference.

Denise, about a year ago, coordinated with the town to- for a concern that she had with the animal shelter and the condition that it was in and how she wanted to make it a more welcoming place.

So through her own initiative she created a (inaudible) called the MTAS which is move the animal shelter. She's done numerous fund raising activities. She was solely responsible for a lot of the funding of the first dog park in Calverton, the Isaac Dog Park, as well as the second one that should be up in the next six weeks or so at Stotzky Park.

It's amazing, you know, I sit on a lot of different committees and work a lot- not only with the town, with the churches and with the country fair and, you know, the level of dedication that she has and it's inspiring actually.

So the town wanted to recognize her, for her drive, her dedication, for the animal shelter.

I'll read a little bit about the whereas because it's important that we understand animal shelters act as a save haven for homeless and abused animals, providing them with comfort and care. And especially in these challenging economic times owner surrenders are up and have come into greater numbers to the town of Riverhead animal control.

Denise Lucas serves as a model of commitment to animal welfare, animal welfare in our community by continuously fund raising to help build dog parks for our community, collect donations for the dogs housed in our town's animal shelter, and help beautify the animal shelter's grounds.

I also know that she's worked with the Girl Scouts and various other organizations and got them on board to do community efforts along those lines as well.

It's a long time coming and this is just a start. I'd like to give out one of these every year to you so I want you to stay focused on what you're doing and you're a real

(inaudible) to our society."

Denise Lucas: "I promise I'll (inaudible)."

Councilman Wooten: "So we just want to congratulate you."

Supervisor Walter: "And he didn't say it. It's Denise Lucas Day."

Councilman Wooten: "Oh, it is Denise Lucas Day. I wish we had an afternoon meeting so you had more of your day left."

Denise Lucas: "Thank you."

Supervisor Walter: "We could have brought a dog. All right, thank you."

All right. We are going to— let's start with correspondence— Diane, reports, correspondence.

Oh, yeah, that's right. John. Motion to approve the minutes."

Councilman Dunleavy: "I make a motion that we approve the minutes of August 7, 2012, and a special town board meeting of August 16, 2012. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Okay, Correspondence."

Diane Wilhelm: "Okay, under Correspondence."

**CORRESPONDENCE:**

Jennifer Hartnagel

letter expressing support  
for the proposed changes  
outlined in the Wading River

	corridor study
Frances Friszolowski	letter in favor of proposed code change to ban right turns off East Avenue (public hearing of 8/7/12) Chapter 101-7 Vehicles and Traffic
Frances Friszolowski	letter in opposition to the proposed code change to change St. John's Place from a one-way street (public hearing of 8.7.12) Chapter 101-4 Vehicles and Traffic
Cathy & Peter Andolena John and Theresa Budney	letter requesting the denial of the proposed North Shore Country Plaza site plan
Cathy & Peter Andolena John and Theresa Budney	letter expressing concern regarding the Wading River corridor study
Peter Danowski, Esq.	letter and map regarding North Shore Country Plaza at Wading River, New York

**APPLICATIONS (pending town board approval):**

Special permit	Philip Swotkiewicz - reconstruction of single family residence, 147 Washington Ave., Jamesport
Chapter 90 (special event)	Antique Auto Club of America - Peconic Bay Region - Sept. 30, 2012 at Hallockville Museum Farm, Jamesport
Chapter 90 (special event)	Church of the Harvest - free Gospel concert and car show Sept. 8, 2012 at riverfront

parking area, Riverhead

Proposal

Long Island Paragliding Club  
proposal asking for per-  
mission to use a part of  
EPCAL property in Calverton

**REPORTS:**

Sewer District

discharge monitoring report  
July, 2012

Sewer District

effluent ammonia test result  
from April, 2011-June 2012

Diane Wilhelm: "And I think that's it."

Supervisor Walter: "Okay. Any other reports?"

The supervisor's got to do it all around here. Any other reports, town board reports?"

Councilwoman Giglio: "Well, I said last town board meeting the bike path at EPCAL has been mowed on both sides and I see Mr. Artie Johnson in the audience who came in and said why can't we do it? And we could do it and we did do it and thanks to George Woodson who actually got his crew out there and trimmed back the path and mowed the sides of it and people are using it.

I see them parking at the dog park and getting on their bikes and riding. So that's good.

And the historic district signs for our downtown area should be installed sometime this week which is another very exciting thing that the landmarks preservation has been working on to identify downtown as a historic district and we do have several old beautiful buildings so we'll nurture that and make downtown a better place."

Supervisor Walter: "Okay. Any other committee reports? All right, now that I've got that squared away.

We have-- read the Applications, Diane, no?"

Diane Wilhelm: "I finished that."

Councilman Dunleavy: "She did them all. She did Reports, she did everything."

Supervisor Walter: "I'm sorry I didn't- all right. So we're going to take this a little out of order. We have one, two, three, four, five public hearings today and four of them have to do with the Wading River rezoning."

Is anybody here for the 7:20 consideration of a local law entitled Vehicles and Traffic for the Riverhead town code, hours of parking leading to the water, Meetinghouse Creek Road in Aquebogue?

Is anybody here for that public hearing? All right.

What I'm going to do is because I think 7:20 will start, I'm going to open that one. We'll start that one at 7:20 and then we'll go back and cover the other ones and I'm going to go back and open all of them at the same time.

If there's a specific reference to something in one of these statutes that should be mentioned directly for that public hearing, just let us know and we'll make a note.

But before we even start that, Frank Fish is going to give us an overview of what we're looking at today."

Public hearings opened for  
overview 7:08 p.m.

Frank Fish: "You can hear me all right? What I'm going to do is just summarize because tonight we have a public hearing on amendments to the comp plan and the zoning code in regard to Wading River. So I'm going to try to summarize those along with Todd Okolichany from our office and that's just to give a brief summary."

These actions are all actions that are controlled by the town board, hence the listing of who's who that you all know here in Riverhead.

The next slide though just goes over what they are.

There's basically- there's several actions. The first is to update the existing town comprehensive plan.

So you have an existing comprehensive plan for the town. This is an update just with the focus on Route 25A in Wading River. So that's the first action.

The second action are some zoning text changes, some word changes in the zoning in regard to Wading River which we'll go over.

And the third is zoning map changes. Again, on Route 25A in Wading River.

So those are the actions and hence there's a public hearing tonight to hear from all of you if you wish to comment on these actions before the town board.

I'm not going to dwell on this because I've been here a few times with the same time line. We started this- has been in process about a year now and what we've gone over is a set of draft comprehensive plan updates back in 2011 and had a whole set of focus group meetings and then a larger public workshop and then went into some zoning text modifications and we're at a process now where we've got those completed. The town board has reviewed those and hence this evening's public hearing.

After the public hearing, we prepared an environmental assessment form for the town board. So after this public hearing the board will be in a position perhaps if they wish to go on and act on those environmental assessment forms, and then either revise the document with revisions to zoning or not. So that's a matter of tonight's public hearing.

So that's the project time line we're on.

With that, what I'm going to do is just turn to Todd after this map and he's going to summarize the comp plan- comprehensive plan amendment but it all relates to the Route 25A study area, basically from the Brookhaven town line up to this triangle here or many of you know the whole Knightland Village proposal, which is not part of this action. It's currently in litigation.



So we're studying that area along 25A. Some of you know all of these parcels, Partridge Gonzalez (phonetic) farm and various parcels here are subject to some of these changes which you will see and then this small triangle here at the end of the study area.

So that's the area that we're looking at and the first action is to make some changes in the comprehensive plan for this area.

And with that, I'm going to turn this to Todd."

Todd Okolichany: "Okay, thank you, Frank. The- as Frank mentioned, the first action that we are here to discuss tonight are changes to the town's comprehensive plan, just with a focus on Route 25A in Wading River.

I looked at the time line that Frank was showing and noticed that we're almost at the year mark when we first started the study and as Frank mentioned, we've been through a lot of different public meetings.

We had two focus group sessions and we had a very successful public workshop where about 300 of you attended and I can definitely tell there's still interest even going on from that workshop. So thank you for being here tonight.

And through the past year, we've listened and we've tried to you know listen to all the comments we received, not just at the public workshop but at some of our smaller meetings that we've had in this very room, letters we've received as well and I hope that we've responded to many of your comments and to the board's comments throughout this process and, hopefully, you'll agree with some of the changes that we're recommending in the comprehensive plan update.

One of the main goals or the vision for the study when we first started was to reduce some of the amount of retail along the corridor, that there was a fear that commercial strip centers would continue to be developed along the center.

So one of our main goals was to consolidate and make a more compact retail center along 25A within the vicinity of Wading River and Manorville Road.

And I think that some of the recommendations that we go through will show that we kept that existing retail node at that intersection at that intersection but at the same time have made a more compact retail center and we're going to allow some other residential and other types of uses that may be more compatible with the Route 25A study area.

Some of the proposed zoning recommendations, we've mentioned this in the comprehensive plan as well. The zoning recommendations and zoning changes actually implement some of the recommendations that we have in the comprehensive plan update.

Some of those are, as Frank mentioned, we are suggesting rezoning a couple of parcels and we'll get into some of those slides later on when we look at some of the zoning changes, the zoning map changes.

But just to give you a rough idea, we are suggesting rezoning roughly five parcels on the north side of Route 25A, just east of your existing commercial cluster that's within the vicinity of Route 25A and Wading River-Manorville Road.

And then going east all the way up to the intersection of 25A and North Country Road or Sound Avenue.

So there's a couple of parcels there that we've recommended both in the comprehensive plan to rezone and then our zoning map changes also reflect those recommendations.

Another recommendation of the comp plan is to amend some of the development requirements, some of the zoning requirements in the MRP zone which we're suggesting rezoning some of these existing business parcels, business CR to MRP, and we've suggested a couple of zoning recommendations that Frank will get into later on.

And finally the comprehensive plan. One of its major recommendations is to encourage possible future acquisition of some of the existing agricultural lands or undeveloped parcels along the corridor. So the plan does highlight that as well.

This next map actually shows some of these recommendations that we've suggested in the comprehensive plan, many of which-

a lot of the recommendations on this plan have already been suggested or recommended and were adopted through your previous 2003 plan and we basically just updated this map to reflect the recommendations that we suggested in this study.

As I mentioned, this is 25A, this is the intersection of Wading River-Manorville Road and just east of here is that triangle that Frank Fish mentioned at the corner of 25A and North Country Road and Sound Avenue.

So our study area, one of the main acquisition suggestions was on the south side of 25A and this is I think carried over from the previous plan as well where, you know, we really felt that the community's sentiment was to, if possible, to recommend possible acquisition of some of the larger undeveloped parcels such as this one on the south side of 25A, this is the Zoomas parcel.

Another major recommendation in the comprehensive plan which was carried over from the 2003 study was a possible establishment of an access driveway behind parcels that front 25A going westbound from the Brookhaven town line and then connecting to Wading River-Manorville Road.

This is actually a recommendation that was even suggested years earlier in a plan that we did, that BFJ did, back in the 1980's.

The difference being-- the previous recommendation for this was more of an access road where we now suggest as more of an access driveway, maybe a 24 foot wide width driveway where if these parcels were developed in the future for retail uses or restaurant uses, that through the site plan process for each of those parcels the town could possibly negotiate with some of those property owners to slowly build this access driveway behind the parcels, so that cars could avoid driving on 25A and rather drive behind those parcels.

This would help what we feel would help some of the traffic problems and some of the safety issues on 25A in that area.

And finally the zoning map might show this better, but we have suggested rezoning several parcels as I mentioned. These

parcels here consist of the Partridge family, Conzellas (phonetic) farm, and Ken Berra has a piece here of- they're either vacant parcels or used for agriculture.

And we've suggested rezoning these parcels from the current business CR zone which currently allows retail and restaurant type of uses to the- what's called the MRP zone or multi-family residential/professional office zone.

And that zone allows professional office uses and multi-family uses, one and two bedroom type of multi-family units.

The zoning map actually will highlight the suggested zoning changes I believe a little bit better.

This first map here is the existing zoning map- and I'm going to turn this over to Frank to discuss it."

Frank Fish: "I'm just going to quickly go through the zoning now and so the first action Todd has covered and that's for the public hearing this evening.

The first action again is to just amend the current master plan of the town, not to do a new master plan but just to amend it for Wading River.

The second action is a re-mapping so this is the current zoning map. You can see the business CR zone in red and then the MRP zone which allows multi-family residential and professional office along the north side of 25A over to the triangle here where North Country Road comes in.

So this is the existing zoning map.

And the next slide will show the proposed zone, so this- what's changed here is we've extended the MRP zone to replace the business CR in these three parcels that we just mentioned and also we've extended the MRP to the end of the triangle, to where North Country Road comes in to 25A.

So in total there's five sites, five parcels of land that are proposed to be re-mapped from business CR to MRP. And the reason for that is we're again trying to respond to what we heard and that is not to have a continued strip of retail

development or strip malls along 25A. We're trying to contain the basic retail center to where it is now.

So the next map shows a comparison of existing zoning, this is the existing zoning here, this is the proposed zoning.

So there they are. There's one, two, three parcels here in red that now would become MRP which allows office and multi-family residential. The red allows retail and strip malls. So those three parcels become MRP.

And then within that little red triangle, there are two parcels and they become MRP also.

So essentially what this is in terms of the second action, the re-mapping action, is to re-map five parcels of land from the business CR which allows retail to the MRP which allows office and housing.

So that's the proposed re-mapping action.

In terms of acreage, those three parcels closest to the center are about 14.6 acres and then there's two parcels at the west triangle which are 1.8 acres. So the total re-mapping is 16.4 acres which would go from business CR to MRP. So going from retail to office and residential. That's the essential zoning map change.

Now what does it mean? Here's the business CR zone; here's the MRP, multi-family residential and professional office; and here is where I want to introduce the third change.

We have suggested some text changes to the MRP zone. So there's a third action and that is text changes.

Right now the MRP zone does not have a maximum building coverage for all of the uses. We wanted to make the maximum building coverage 15%. By that I mean a building like the building we're in can only cover 15% of the land area of the site. Currently in the zone, it's 17% for one of the uses.

We also introduced what's called an FAR. The business CR has that in the zone now. All the FAR is, is the number you multiply the lot size times.

In other words, if you had a 10,000 square foot lot, you multiply it times .20 and the resulting number gives you the amount of total square footage you can build on the site.

So that controls the density of the site and we've introduced that FAR to control density in the MRP zone.

We've introduced an impervious coverage in the MRP zone and as you can see these are made the same as the CR zone.

We've also kept the height the same, the height is 35 feet, but in the MRP zone we made it clear that you can do only a two and a half story building. You cannot do a three story building in the MRP zone.

And then in the MRP zone, we've introduced something new. It's not currently in the CR zone. We've introduced a minimum open space requirement of 20%. Twenty percent of the land area must be kept as open space.

So those are the text changes.

So that's the comparison of the MRP zone. The major thing here is the MRP zone does not allow retail as a primary use. So you would not have strip commercial development in the MRP zone.

Here are just to annotate them one after the other very briefly. This is all in text form that you can read that the town has published.

But the MRP zone currently allows multi-family condominiums. They're built out there so all of you know this development that's out there.

We've just made it clear that also one family town homes can be built, also we're going to allow that. The town board wanted to allow agricultural production to continue in the zone and wanted to allow professional studios or performing art studios. These were actually some suggestions made to us by various citizens at the meeting.

We also pointed out that normally in most zones you do allow churches and schools. You do allow public libraries and

museums. We've allowed them all by special permit. We don't necessarily-- we're not aware of any particular proposal or an expressed need. Normally we would allow these in the zone.

The accessory uses, by the way, an accessory use is simply a use that's totally incidental to the primary use. But for agriculture we did want to allow the so called farm being able to sell-- the farmstand in front of the farm. So we wanted to allow that and that's what the accessory use is about.

So that's the MRP zone.

We wanted to show you in the MRP zone, mostly I've covered these already but there was a request in the MRP zone, again from citizens, that we put a maximum unit size on. There is no maximum unit size right now.

I think the concern was that there's been some experience with building-- I have to use the term McMansion, but everybody knows what it means. And we wanted to control size so it didn't get out of hand.

So for a one bedroom town home unit, we put a maximum size of 1,400 square feet on it, and for a two bedroom, we put a maximum size of 1,800 square feet on it.

So you get a comparison, the average single family home size in the United States right now is reported by the census bureau to be 2,600 square feet. For the average single family home, it's 2,600 square feet so we put some-- just maximum sizes on this-- just so we don't get overly large units.

I've covered the 20% open space.

The other thing we found out there now on 25A and there are some offices and the office requirement for parking we felt is too high. Actually the standard in the United States is what I call four per thousand, one space per 250 square feet of office. You have six per thousand, it's very high. It creates too much asphalt in our view so we've suggested that that change be made.

Also if you had a mixed view building between residential and office the residents are not always there at the same time

the office workers. If you had that unusual case, but it could happen where you had a mixed use building, we're giving the planning board the ability to entertain a proposal for shared parking.

What do we mean by that? Well, on Saturday and Sunday when most people are home there's no one in the offices, it's normal. So you sometimes in a mixed use building do not need quite as much parking. So we're giving the planning board the opportunity to take that into consideration. But it's up to the planning board on that.

So then within the CR, business CR zone, there was a comment from several people that the current master plan with that driveway in the back of some of the sites south of Route 25, was not actually liked. And so we put in some wording to make sure that that does not become a road. That it's not a road proposed by the town. All it's going to be is access in the back of those parcels.

And the idea is so that those parcels in the future don't create too many- I'm sorry, too many curb cuts, driveways onto Route 25A. They could connect in back of the parcel.

And then we just put in, this was put in, the town planning department wanted a specific section on signs to make sure that the signs would be of a uniform design in the CR.

So again I just want to summarize this very briefly then that here's the proposal.

Extend the MRP as shown here over those three parcels; extend the MRP to that red on those two parcels; and then tighten up the wording, the text, to make sure the densities are very tightly controlled compared to what they are.

And we think is this happens that it will stop the expansion of strip commercial development and it will have some favorable environmental benefit.

So with that, I want to turn it just back to Todd very quickly and then we'll conclude this presentation. We do see some benefits to the proposed MRP zone on these five sites and we've summarized them."



Todd Okolichany: "What this slide summarizes is some of the differences between what the MRP zone currently says and what we've added to that and also some of the benefits of the MRP zone compared to the current business CR zoning.

As Frank mentioned, we did add a couple of changes to the MRP zone. The first is, you know, the current MRP currently allows maximum building coverage of 17% for only professional office uses. So we've added or suggested a maximum building coverage of 15% for all uses, so that would apply to both residential and office uses.

We've also suggested as Frank mentioned, a maximum FAR of .20 and a maximum 75% impervious surface cover. These were two suggestions that— these requirements are currently not in the MRP zone so we would add those to the new MRP zoning text changes that we've suggested.

We've also— Frank mentioned some of these. We've suggested limiting the dwelling unit sizes in the MRP and another benefit of the MRP zone is it allows agricultural uses.

Currently the MRP zone does not specifically mention agricultural uses as a specifically permitted use. We thought it was appropriate to add agricultural uses as a permitted use to allow— to continue to allow those agricultural uses that are there today if those property owners decide to continue agricultural production.

Finally the MRP zone by reducing the office parking requirements by having a parking requirement of one space per 250 square feet instead of one per 150 square feet. As Frank mentioned, that would greatly reduce excess pavement and asphalt that's really not needed.

The one per 150 parking requirement for office uses is not a standard parking requirement in most areas. So the new requirement of one per 250 square feet would greatly reduce some of the parking and asphalt that's probably not needed for that type of use.

One of the next steps in this process is the town board will have to navigate through the SEQRA process and if you're familiar with SEQRA, that stands for the New York State

Environmental Quality Review Act and as a requirement of SEQRA we are charged with analyzing some of the potential impacts of the changes that we're suggesting with the zoning map, the zoning text changes and the comprehensive plan update for 25A.

So what we've done on this slide and we've also submitted this in the form of a full environmental assessment form that we've prepared, is we've analyzed for the 16.4 acres that we're suggesting should be re-zoned from business CR to MRP, we've compared what would happen in the future if those 16.4 acres were developed under the current business CR zoning and compared that to what if those 16.4 acres were re-zoned to MRP and what the type of impacts would be with the proposed re-zoning.

So just going over one by one. The build out or the density, using the current zoning requirements of the town, in the business CR zone, if those roughly 16 acres were developed in the future, it would result in about 143,000 square feet of retail or restaurant uses.

With the proposed re-zoning, it greatly reduces the amount of potential square footage that could be developed.

What we've done here, we've had to make some assumptions. Based on the current layout of the uses that are developed today in the MRP zone, there's roughly about a 75% to 25% mix of multi-family units to office uses. That's there today on the north side of Route 25A, just west of North Country Road and Sound Avenue.

You have a mix of about 75% residential to about 25% professional office. We've used that same use of mixes that in the MRP zone because multi-family and office uses are permitted, we've suggested or analyzed or assumed that 75% of the 16 acres would be developed as multi-family, and roughly 25% would be developed as professional office.

Now this yields about 36,000 square feet of future professional office square footage and about 65,000 square feet of multi-family square feet which yields roughly 36 dwelling units assuming that those were all built as two bedroom units.

So what type of impact would 36 dwelling units have,

impacts on your school district?

We've determined and analyzed the amount of number of- the number of public school children that could occur as a result of the MRP zone change, and it's a very, very small impact to the school district that if 36 units were developed, it would only yield four to six public school children.

And we analyzed the amount of school children- when we analyzed the amount of school children- "

(Some inaudible comments)

Supervisor Walter: "Guys, calm down. Let him finish."

Todd Okolichany: "We actually- there's an analysis we use- there's multipliers we use from Rutgers University that tells us how many school children are normally- would occur from various types of residential development.

Now what we did is we took the suggestion of Sid Bail and others to look at how many school children are currently produced by the residential condos that are there today on 25A and in the two residential condominiums on 25A within the study area, there's roughly 64 dwelling units and only about six public school children. That's the factor there today.

There's about six public school children that attend the school district from the current condominiums on 25A.

We've used that same factor to determine how many public school children would occur in the future with the possible 36 dwelling units, and it comes out to about four to six public school children which is a similar amount to what's there today from the current condominiums on 25A within the study area.

The next impact we looked at was traffic generation and parking. And under the current business CR zoning, during the AM peak hour period you have roughly 143 cars traveling on 25A. And during the PM peak hour period which is during the peak hour period, a one hour period of evening hours, would yield about 533 vehicles on 25A.

As you can see with the proposed MRP zoning, you would

have substantially less traffic generation. This is true of residential uses in particular typically generate less traffic than a retail or a restaurant use would generate.

Number of parking spaces. Using the town's current zoning requirements for retail uses, if the 16.4 acres remain as business CR and those parcels were developed, would yield roughly 714 parking spaces to meet the town's parking requirements.

Within the MRP zone, it would only result in about 197 parking spaces. So we feel that this would greatly reduce the impact on parking and traffic and the amount of asphalt and impervious surface cover.

In analyzing all the impacts we feel that all the impacts of the proposed zoning changes and comprehensive plan update are actually beneficial. You would have less density with the MRP zone, less impervious surface cover, less traffic and parking, a very small impact to the school district, and it's important to know as well when we looked at the school district, we knew this was an issue with many of you that we noticed that within the last five years, there's actually been a decrease of about 250 public school children in the public school system.

So we feel that adding roughly four to six children or even ten children would be a very small impact on the school system considering that there's actually been a substantial decrease within the last couple of years.

Finally we feel that another major positive impact would be the community character, that you know, we're suggesting that with these requirements that it would reduce impervious surface cover, it would enhance the buffers from the roadway, and these are some of the recommendations that we feel that would greatly fit more in with the character of 25A.

So in conclusion we feel that there is no significant adverse impacts as a result of the proposed zoning changes or comprehensive plan update."

Just to wrap up briefly, to give you an idea of what's in the next (inaudible). Obviously tonight we welcome your

comments on some of the recommendations we've gone over.

Next month will be really the action by the town board on the state environmental quality review process where the town board will declare itself as a lead agency and navigate through the SEQRA process next month in analyzing some of the impacts in the full environmental assessment form that we've submitted to the town.

After that, the town board will act if they choose to adopt the comprehensive plan update for Route 25A. They also act on the zoning text changes that we've gone over as well as the zoning map amendments."

Supervisor Walter: "All right, great. Frank, Todd, thank you very much.

What I'd like to do is we're going to open the public hearing that was scheduled for 7:20- sir, you might have to step away from the podium because people may speak there.

We'll take this slightly out of order. We've got a public hearing scheduled for 7:20 and this is- I'm going to open that."

Public hearing opened: 7:42 p.m.

Supervisor Walter: "Seven twenty having arrived, I'm going to open the public hearing for the consideration of a local law amending Chapter 101 entitled Vehicles and Traffic of the Riverhead town code, Section 101-12 no parking certain hours' road leading to water and Section 101-17 parking by permit, Meetinghouse Creek Road, Aquebogue.

John, this is one of yours."

Councilman Dunleavy: "Yes. This is- all we're doing here is we have only one street that leads down to the water that has parking restrictions from 6:00 a.m. to 10:00 p.m. and every thought it was 10:00 p.m. to 6:00 a.m. so no one would park overnight.

What we're changing it to is that you can park there with a resident permit down the street to the bay. So that's what

we're changing it to."

Supervisor Walter: "Okay. Does anybody wish to be heard on this matter? Not seeing anybody, I'm going to close the public comment portion of the meeting and we'll leave it open for written comment until Friday, July-- excuse me, August 31, unbelievable the summer is-- you can see it in the morning when you wake up, 5:30 it's dark.

We'll leave it open 'til August 31<sup>st</sup>, 4:30 in the town clerk's office."

Public hearing closed: 7:43 p.m.

Left open for written comment to  
August 31, 2012 in the town clerk's  
office

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Supervisor Walter: "All right. What I'm going to do is open up these four public hearings together but before I do it everybody that wants to speak is going to get the opportunity to speak.

What I'm going to ask Frank and Todd to do is we're not going to do an exchange back and forth and have them jump back and forth. They're going to write down your comments and at the end they will speak about the comments. Answer any questions that we can answer. Maybe there's questions that we can't answer but we'll endeavor to do our best.

We ask you to be as concise as possible. We will allow everybody that wishes to speak. If it seems to be that it is completely repetitive, you are allowed to repeat yourselves but we would prefer because there's a lot of people in here and we would prefer that if you would, you know, if it's something that you agree with somebody else, state that you agree with that person and the points and then get on to the other points.

That way we can move through it and get to everybody in as, you know, as expeditiously as possible.

So what I'm going to do, we have three public hearings--

four public hearings."

Public hearings opened: 7:44 p.m.

Supervisor Walter: "7:05 having arrived and left, I'm going to open the public hearing for the consideration of a proposed amendment to the town of Riverhead comprehensive plan adopted November 23<sup>rd</sup>, excuse me, November 2003.

The second public hearing that we're going to open is scheduled for 7:05. It's for the consideration of a local law amending Chapter 108 entitled zoning of the Riverhead town code, multi-family residential, professional offices.

7:10 having arrived and left we're going to open the third public hearing consideration of a local law to amend the zoning use district map of the town of Riverhead to provide for multi-family residential zoning use district to the exclusion of the existing business CR zoning use district at 25A in Wading River.

And finally 7:15 having arrived, we're going to open the public hearing for consideration of a local law amending Chapter 101- excuse me, 108 entitled zoning of the Riverhead town code business CR zoning use district rural neighborhood business.

All public hearings are now open. We were given a very broad overview of what the public hearings are about from Frank Fish and so we're going to- "

Councilman Dunleavy: "Can I just say something? I just want to say that everybody here has driven down Route 25A and once you enter the area where the professional office is there, the red brick buildings and then after that you have the two condominium complexes and then after that you have the business complexes where we have the day care center and the other office buildings in that complex.

This is going to mirror that all the way to the ice cream shop, where it used to be the ice cream shop. So this will mirror that all the way to there. So if you dislike what's there, then you are going to dislike this. Okay? If you like what's there, you are going to like this zoning on that side of

the road. All right.

So I just want to put it in plain language. I mean I know we listened to these two learned people, but the plain language is what you have there now is what's going to be extended to the ice cream parlor, it used to be the ice cream parlor.

So that's basically on the north side of Route 25A.

On the south side of 25A you have the CVS and right next to CVS you are going to have more commercial up until the Boy Scout camp where the woods start. After you have the woods, then the rest of 25A all the way down to Route 25 is open space and the cemetery is there, the Boy Scout camp is there.

So I mean that's what's going to stay on that side.

On west of--west of Route-- Wading River--Manor Road where McDonald's is and the other drug store are going to be commercial pieces. I think there's four commercial pieces there. They are going to be commercial and they're going to have a-- so they don't have to keep coming out in the road, they're going to have this driveway between the commercial properties so once you get into the commercial property, you can drive all the way down to McDonald's and not come out on 25A.

So that's what basically is proposed here. It's my terms, laymen's terms, okay. So I just wanted to-- most of you probably know that but I just wanted to let you know. Okay? Thank you."

Supervisor Walter: "John, you did what Frank Fish took 40 minutes to do."

Councilman Dunleavy: "Thank you. Okay."

Supervisor Walter: "Pete Danowski, I guess you're standing there-- "

Peter Danowski: "I think one of the other comments for the public-- "

Supervisor Walter: "Would you just state your name?"



Peter Danowski: "Pete Danowski, 616 Roanoke Avenue, Riverhead, New York. I do represent several clients who are affected by the zone change.

I was just curious procedurally before I start to talk about the merits of the application, will you keep the hearing open or close it at tonight's session and will there be a time for the public and anyone else to make written comment after tonight's- "

Supervisor Walter: "As I always do, I will close the public comment portion tonight. I will leave it open for written comment until August 31<sup>st</sup> at 4:30 p.m. in the town clerk's office."

Peter Danowski: "Thank you very much.

I did make mention that I have several clients who are affected by the proposal to change zoning. Connie Partridge and her sisters own a piece. It's been described and commented on in the public and I would like to put up a board presentation for the general public to look at because I think the revised plan which was submitted to the planning board for their consideration and vote is a very attractive plan and sort of belies some of the comments concerning the detail about it.

So I'd like to if you could allow me to use this tripod to put the plan up."

Supervisor Walter: "Peter, I'd rather you put it outside. Can you put it outside, just on the table outside- "

Peter Danowski: "I'll do anything you want but I think the public here would like to see it and it's been criticized as to comment- I'll put it outside, but- "

Supervisor Walter: "Yeah, no, Peter I'd rather you put it outside just so we don't have the board members coming back and forth during the people speaking.

So I don't care if you want to pass it through the audience and put it outside or just put it outside, it's fine. I just don't want to have people coming back and forth."

Peter Danowski: "I'll listen to your direction. We'll put it anywhere and I'll make comment about it.

This plan has been distributed to town board members as well as the planning board and is available at the town clerk's office as well. It's been made part of the record here.

But let me make comment on it and I will you know walk this out the door and put it in the back."

Supervisor Walter: "Peter, do you have a smaller version? Pass it around, Peter, what the heck. Peter, do you have-- and then whoever gets it last, can you just put it outside?"

Peter Danowski: "Sure."

Supervisor Walter: "Helga, that's what we don't want. We want it to go outside. This is what we don't want. We want it to go outside. Helga, please, pass it around and then put it outside. Okay. Peter. Peter, hey, I'm going to wind up using the gavel for the first time in two and a half years."

Peter Danowski: "Just commenting on the plan that's been looked at. Some of the public comments that I want to correct as to the facts with regard to the revised plan.

Each of the buildings is no more than 10,000 square feet. A central square is provided. Landscaping in excess of the town requirements is provided. The town required two inch rainfall on site on the commercial part of the development, is provided. A safe over flow as recommended by most engineers is provided. And this is a very attractive not strip mall but a central square plan that I've asked the planning board to promptly approve.

This matter has been in the process before the planning board since December 5<sup>th</sup> and the client has every reason to think that this has been purposefully delayed, not by this board but it's a fact that we submitted the application on December 5<sup>th</sup>. It's a fact that we just reacted to public comments and made revisions and they've been submitted. It's part of the town clerk's file now on the record here.

My clients, you know, their family have owned this property for a long period of time. The Congella (phonetic) sisters own this parcel, Connie Partridge, married name is Partridge, has moved forward with this plan relying on the zoning in effect at the time of the submission.

We've asked the town assessor to address the question of potential tax revenue to the town and the estimated tax revenue is \$233,000. Similar amounts would be forthcoming from the other developments that could be built under existing zoning.

Ken Barra who is here tonight and the Barra family with regard to their parcel, the estimated tax revenue on the plan that they had approved for a country inn and restaurant, all right, the revenue there was suggested to be \$195,000.

So, again, these are tax revenues coming to the town when the town is in dire need of tax revenue.

I want to hand up also the approved plan that was approved several years back, it was not built, but is a country inn and restaurant on the Barra parcel. Everyone knows Kenny's expertise if nothing else is in the restaurant business.

Your proposal tonight is to drive out restaurants as a permitted use. If nothing else, restaurants should continue to be allowed."

(Inaudible comment)

Supervisor Walter: "Peter, pass it around. Okay. All right."

Peter Danowski: "Again, being passed around is the approved plan that-- "

Supervisor Walter: "Folks, folks."

Peter Danowski: "-- that Ken Barra had approved and what I will do tonight for the town clerk's record is again hand up a copy of that approved plan so that anyone that doesn't see it tonight can visit the town clerk and see it. I'll also hand in the resolution of approval as well as the estimation with regard to real estate taxes.

Some of the other comments concerning even the small touches on some of the rezonings and I did hear the comment about the private driveway.

The private driveway on the other side is further- "

Supervisor Walter: "Hold on, Peter. Can we just have some respect for the speaker, please. Thank you."

Peter Danowski: "The private driveway, although it sounds good to say we're not suggesting a public road and a driveway that will carve through the back of these parcels.

You must understand, many of these parcels are burdened by a useless easement now and that easement is close to Route 25A. So the developers really don't want to use that easement. No one is suggesting so close to 25A it serves any purpose but it was placed on a subdivision map. So I think when you gather up suggestions, one of them should be the town on their own motion or applications that seek to extinguish those old access easements that are permanently put on the property unless with permission of the planning board they get extinguished.

Also you have to look at the back of these properties and the other laws that might apply and for those fans who like open space and don't like improvements to the back of properties with a cluster theory, and for those of you also thinking about the rules of the Suffolk County Health Department, you may find out that some of the suggestions of carving this driveway to the rear of this property won't work.

I think what will work and I think what most planning board members and planning staff would suggest is as developments take place to the very physical end of the development before you get to the clustered open space, basically through the middle of the properties when your yield is considered under existing zoning, you would put together a plan that would try to encourage all the developers to join together and have this cross access easement.

So I'm not against the concept of having cross access easement. I'm not against providing an alternate way to go out without going 25A. What I'm saying is there are so many arguments against every plan that gets submitted and there are

so many pushes in different directions that when you want to talk about creating some open space to the back of parcels, when you want to talk about laws and regulations and rules depending on where you are with that lot, you get pushed in different directions. And I don't think the private roadway system will necessarily meet all the burdens you have at the end of the day. I just throw it out there.

But for Ken Barra, getting back to the main topics here on use. You know, Kenny has been through a lot. His family has been through a lot. I think most people, not all, will say he does a wonderful job landscaping his current business at East Wind. It's a very, very attractive site. He employs a lot of people and pays a lot of taxes.

And he's owned this particular land for a good number of years. Over 10 years he's owned this property and paid taxes on it. And I know there are other people that opposed his project on Park Road.

You know, at the end of the day, that project should have been built. The court system successfully defended him and his position and it should have been built. But he agreed to sell. He agreed to sell at a loss and to date that has not closed.

We were originally told early on in the spring, maybe we'll have an authorizing resolution from the county legislature and maybe at the end of the day we'll have a signed contract. That came and went, that time period.

Then the summer came up. Well, I think we're going to get to you in the summer. Now we're being told in the fall.

I have serious doubts whether that property will be acquired. If it is for those that want the acquisition, Ken Barra cooperated. But right now there hasn't been an authorizing resolution and there's no increase to the tax base in the town.

So what I'm saying to you is be fair, recognize the tax revenue. Certainly you want an attractive development. Certainly if you're a fan of clustering and keep some open space in the back.

We have high tension wires in the back of these parcels that are suggested being rezoned. Do you really suggest residential homes should be built by the high tension wires?

And I heard some of the opposition for people- I still remember the one at the church where you had the informational meeting, where someone said I just bought a condominium on 25A and it is so noisy that who would want to live here?

And so we're suggesting now you are either going to put residences back against the high tension wires or up close to Route 25A, neither of which I think is a good idea.

Well, you've limited it as to density and size so it's like an affordable housing situation, but quite frankly it's not enough density to make any developer want to build it.

Now you do the flip side. One of the nice things in the town, over the years you have a floating zone called a PB overlay and a lot of nice old historic homes were turned into doctor's offices and lawyer's offices and other professional offices.

We want to encourage that. We want to see preservation of older homes so I think office space, you know, can go in different directions and we certainly have a lot of very nice attractive professional office space but you have to ask the flip side to the retail question, how much professional office space do you need?

And when you don't allow a restaurant to dovetail a professional office where you have parking at different times of the day, you're really hurting that project.

So quite frankly for those who want to see nothing get built, if you adopt this zoning, nothing will get built.

Thank you."

Supervisor Walter: "Thank you. Peter, I will say just for the record, I believe it was the intention of the board if this were adopted that that easement along the front on 25A, the town board easement- town easement as I understand it, we would want to extinguish that as part of moving it to the back.

So that wouldn't be in the zoning. I said it wouldn't be in the zoning but it is part of the town's intention to extinguish that easement because it would be duplicative at that point.

Ms. Mendez, just state your name for the record."

Dominique Mendez: "Dominique Mendez, Wading River, Riverhead Neighborhood Preservation Coalition.

So you have to bear with me because I thought you were doing- I have comments on you know the various public hearings that you're supposed to have.

So, and it's interesting to note that one- that the site plan that Mr. Danowski just passed around and said actually that, you know, there have been misstatements about that site plan, no one has seen that site plan. That was just submitted I think last Thursday or Friday. No one I think in the public or civic community has seen that. So all the comments we made were on the last version of the site plan, not on this version that we have not seen yet.

And I should also note to everyone that as we get all excited about maybe or maybe not so excited but somewhat excited about the possibility of rezoning five parcels, you should realize that, you know, that proposal is for a parcel that is slated for rezoning for this board, this board is considering rezoning.

And, in fact, they were talking about rezoning this parcel before that site plan was submitted. So the property owner knew or should have known full well that that- that his parcel was likely to be slated for rezoning and that site plan came afterwards. And, again, this is a brand new version of a site plan that we haven't seen yet.

So I wanted to start actually talking a little bit about the overall zoning. So like I said, it's pretty easy to get excited when you talk about five parcels possibly being rezoned and they wouldn't allow retail.

But the fact is that when you look at the five parcels going east to west, Valero, well that wasn't going to become a

store or restaurant. The 1.8 acres right next to it of woods, that's not a very, even here, they said not the most developable parcel in the world, probably didn't pose much risk of lots of retail.

Then you get to the Barra parcel. That's the one where we always have the 4<sup>th</sup> of July carnival and there's definitely development potential there for some sort of huge restaurant, catering or retail or something. There's definitely the possibility and so if that were rezoned, it would eliminate that possibility. So that would be something.

The next parcel is the Conzella parcel and that's being farmed right now as we all know. I don't think that the Conzellas— those Conzellas have any intention of giving up the farming so that probably didn't have any short term potential to go to retail although 20, 30, 40, 50 years down the road maybe.

And then we have the Partridge parcel and you see the development potential because he passed that around. So there's development potential there.

So we talk about five parcels but in reality if you talk about the two with the short term potential what this rezoning could prevent is 75,000 square feet of retail but it's hard to get too excited about that because that plan is for over 40,000 square feet of retail and it's on one of those parcels.

So that brings that number down because you've got to wonder why they're going forward and spending this when even if they had a plan approved it wouldn't vest them in rights so they seem to know something we don't know because the town board has been talking about rezoning the whole time yet they're going forward with a site plan that would be prohibited by this new rezoning even if their site plan were approved.

So it makes one wonder if that will end up even sticking on their parcel and that's a real concern.

So I want to talk about MRP just a little bit and I wanted to state that the RNPC basically supports the currently recommended zone changes to MRP as they replace some of this potential retail with less impact uses.



And I'm going to skip through some of what I was going to say. But that being said we also think the currently proposed changes fall short of doing enough to prevent the excessive retail over-development and to adequately preserve the small town charm of Wading River.

Thus we continue to urge the town board to take more steps.

So one of the things that's noted and it's been mentioned and it's in the planning and zoning report is this rationale for more retail and it's supposedly because tourists and commuters pass through-- pass through Wading River on their way to other places.

I believe that demand is greatly exaggerated. The new retail actually would hurt our local economy and it completely disregards the community's own vision for Wading River.

Our vision for Wading River is clearly not and has never been to provide shopping opportunities for commuters, tourists and every other passerby.

Even the codified intent of the BCR zone acknowledges that Wading River's retail should be, and in quotes, this is directly from the code, geared primarily towards providing daily services to residents in the adjacent residential areas. The community has said over and over throughout the decades that it does not want to become some shopping destination and just about everything in the record except this faulty rationale supports that.

What's critical to understand is that although the current proposed zone changes would eliminate some or maybe a little bit of the excessive retail in Wading River, it still leaves the possibility for over 200,00 additional square feet in the future and even more if we add in that other parcel, that, you know, that proposal that we showed you, North Shore Country Plaza.

Studies have shown there's not nearly enough demand for that retail. The BFJ, the urban (inaudible) study said there could be demand for up to 20,000 square feet more retail. Then they recently upped that figure miraculously to 88,000. That's

still not close to 200,000 or 245,000 if you add that parcel.

So, it's just, there's this huge gap here and when you have a gap like that what we think is going to happen is the local merchants are going to go out of business, we'll have blight from empty storefronts and it will irrevocably change the character of Wading River.

The vast majority of residents in Wading River moved here because it's not overdeveloped like so many towns to our west. That's what makes Wading River and the Riverhead hamlets so special.

We don't need or want 50, 80 or 100 more stores, restaurants and banks and we're relying on you to save our town from the blight that plagues so much of the island.

We continue specifically to urge you to rezone two key parcels from BCR to MRP. The parcel east of the CVS owned by the Zoomas family that this board originally until the county backed out of the purchase or there was no deal between the two originally supported. You used to support that. We urge you to think about that again, rezone that MRP.

You also rezoned the parcel everyone's been avoiding which is the 25A and Sound Avenue intersection, the parcel that Knightland is proposed for. Again, there's no vested rights-property rights on either one of those. You guys actually have the power to rezone both those parcels.

But if you choose not to make those optimal changes here are some other suggestions and some of these you've heard before, haven't heeded yet but we're hoping you will.

You could rezone some parcels west of 25- the 25A, Wading River-Manorville Road intersection to MRP. That's not our ideal but we need to get rid of some of the more excessive retail.

You could also lower the maximum building lot coverage for Wading River on BCR from 15 to 10%. That's how it is in Jamesport's RLC zone so at least if we had more development it would be less development and that would help make up that gap and make us be a little less over-retailed.

We also continue to urge the town to add more buffering requirements to the MRP zone to adequately screen new development from 25A. If you require substantial screening including evergreens between new homes and 25A that will be critical to the quality of life in those neighborhoods and it will give a much better appearance from the road.

We also ask that you consider requiring a 50 foot front yard for all new development in all new development, that's MRP and BCR. Appearance counts a lot and the more new construction is set back from the road and recedes behind a nice row of trees, the less over developed Wading River will at least appear to be.

But something we don't want you to change in the MRP zone is you have permitted use #4 and it allows one family town homes or multi-family units. That multi-family units could actually end up allowing apartments in the end. There's no reason. Condos have worked well. Town homes are similar to condos. They are owner occupied but multi-family opens it up to other uses and that I don't think the community supports. The community hasn't asked for and are not necessarily consistent with community. So we ask that you scrap that permitted use.

On the BCR. This one is very quick. We again support the basic changes to the BCR, fixing it so that 10,000 square foot building isn't a maximum, not a 10,000 square foot store requiring uniform signs and shopping centers good ideas. But, again, you can do more.

You can lower- you can- I said lower that maximum building lot coverage and again increase from 25 to 50 feet, increase that buffer zone. And that's what you can do in the BCR to make that better besides, of course, rezoning more parcels.

I'm going to go onto the last. We also support the revised comp plan with a few tweaks that we noted in a comment letter that I'll be giving to you.

But I'd be remiss if I didn't make a few points. The biggest flaw of the study as reflected in the comp plan is that it neglects to consider the land currently zoned for retail that is farthest from the commercial center of Wading River

which is where the beverage center is and the woods behind it.

That was a huge missed opportunity. It must also be noted that this triangle of land that Knightland Village is proposed for is part of the study area per the town's contract with BFJ, although the BFJ— BFJ and the town later chose to exclude it from their considerations.

That decision was extremely unresponsive to a community that has repeatedly expressed grave concern about this particular project. The appropriateness of that type of project in a particularly troublesome location and its potential to change the character of the community.

Furthermore I must publicly object to the planning and zoning report's characterization of the decision of the town board and BFJ to exclude that parcel from the study as the public's fault for filing litigation.

To blame residents for using the only recourse left to us to address what we see is violations of state environmental law and town zoning ordinance is disingenuous at best.

We tried for nearly a year to get this board to impose a moratorium because we knew that an approval would be reason enough for this board to exclude the parcel for rezoning consideration and that even substantial progress on a site plan would jeopardize the integrity of the process.

The theory that litigation compromised the study has been repeated over and over since last fall and I just need to publicly state in the record what I think is a more accurate representation of the situation.

On behalf of the RNPC I must also note that the 25A Wading River corridor study cannot be considered a substitute for the generic environmental impact statement required by state— the state environmental quality review act in cases where the cumulative impact of multiple projects is likely to have a negative impact on the environment, economy or community character of an area as it did not attempt to study the impacts of the proposed projects.

I am concerned that if Riverhead town continues to approve

projects within this corridor without performing a GEIS, it does so at the risk of continuing to be in violation of SEQRA.

I urge this board to take the responsibility you have to the community to heart and to consider making some of the additional changes. Don't allow the hamlets to be overrun by retail the vast majority of us do not want or need.

Don't drive customers away from Riverhead businesses and local merchants who need our patronage.

Don't enable Wading River and the next hamlet and the next hamlet to be transformed into some typical over retail town to our west with all those empty stores.

This community has been asking for its local government to protect it from this fate for decades and so far local government's efforts have come up short.

So maybe you didn't have a great start and maybe the process was flawed but you can still do a lot right by this community if you step up to the plate now.

Thank you."

Supervisor Walter: "Sir, if you state your name and hamlet for the record."

Mark Kramer: "My name is Mark Kramer. I live at 2963 North Wading River Road."

Supervisor Walter: "You don't have to tell us where you live, not the physical address. Nobody is coming to visit you. Just your hamlet."

Mark Kramer: "I just want to say one thing that I said at the church meeting a few months ago. We have plenty of shopping, plenty of restaurants right here in the town, right in Wading River. We don't need any more. We don't need any more in the middle of Wading River on 25A."

That's all I have to say."

Ellen McWilliams: "My name is Ellen McWilliams. I live

at Great Rock development in Wading River.

And contrary to what a lot of people feel, Dominique Mendez does not represent my neighborhood, okay. I am here to support a very experienced businessman, Ken Barra, okay. I challenge you people that are here. Have you seen the site that is going to be built? Okay.

The economy is in dire straits, okay. We need jobs. Where is the tax revenue going to come from in the future if everything- you know, it's nice to live in Disneyworld and have all this vacant land.

When I moved here eight years ago, I had to pay \$6,000 just to move in here and the person that sold their house to me had to pay \$6,000 to move out to preserve the land. How long is this going to last? How long do you think this, you know, I can't afford to live here anymore. My taxes are getting so high. So is this- "

Supervisor Walter: "Excuse me- respectful."

Ellen McWilliams: "So to create jobs, create tax revenue, okay, I'm here to support the Barra family and the other retailers."

Supervisor Walter: "Thank you."

Deirdre Dubato: "Hello. My name is Deirdre Dubato. I am representing myself and the Rocky Point- I'm sorry, the Wading River Veterinary Hospital. Anybody here have dogs or cats and come to us right now?"

We've been in town for about six years. I'm almost going to beg Frank and Todd, if there's a- can you flip your thing back on?"

Supervisor Walter: "It's off, just- "

Deirdre Dubato: "It's off?"

Supervisor Walter: "Yes."

Deirdre Dubato: "All right. If you remember at the very

beginning of their presentation to the west side, does everybody know where Bernie May is? His farm. The piece exactly adjacent to Bernie on the west, everybody forgets I'm there. That's a vacant strip of 1.3 acres.

We currently have a proposal that we would like to have our animal hospital built there. We are currently renting where you come to see us now in the little shopping center on the north side.

That 1.3 acres has the easement across the north side of it that you talked about on your own motion, you had planned to get rid of it."

Supervisor Walter: "Correct."

Deirdre Dubato: "I'm just wondering a few things about that. Number one, I saw the proposal to put the driveway across those pieces at the back."

Supervisor Walter: "It's going to be more of a cross access easement than a driveway, similar to what we're doing along Route 58. So shopping center to shopping center. There's connections. It may not look like a formal road, it may just be an opening from one parking lot to another."

Deirdre Dubato: "Well, I totally understand that. But right now we've kind of been told to stop. We can't move forward with putting the animal hospital up that we need to put up."

We've been growing in a very small space. Basically because they say nobody on the town board knows what they're doing about that easement yet and getting rid of it.

That's what I was told by those people who represent myself, my husband, George, and my son, Scott, both of whom are veterinarians there. My baby Scott is there on Wednesdays and Thursdays. Go see him.

But anyway I'm just hoping that happens let's say in the next month or so."

Supervisor Walter: "We're hoping to move forward

quickly."

Deirdre Dubato: "Does that mean month or so?"

Supervisor Walter: "We're hoping to move forward quickly."

Deirdre Dubato: "Remember your mother is listening to this somewhere, wherever she is."

Supervisor Walter: "Up there."

Deirdre Dubato: "Forward, moving forward means moving forward. I don't have that kind of money. We're just one little mom and pop shop."

By the way, I know the lady who was speaking with the long speech was saying about removing the CR, the country rural development to the west of the road. If you do that, you happen to take a six year mom and pop shop that is thriving right now in Wading River and ruining the chance that we get to develop it, put the actual building up and move into it.

We would have done that six years ago but we were smart and said we have to grow the business.

Anyway getting rid of that strip is number one. I'm urging you, can you please do that soon?

Number two, as far as the easement is concerned, does it have to be at the back? Sean, listen to me. Sean, Sean."

Councilman Dunleavy: "We're trying to make it to the back because they can go from one shopping area to another shopping area."

Deirdre Dubato: "Well one of the things that the town board is recommending to me and my husband and my son, is that we take that little 1.3, not put up one building, but make it into two small buildings. Push one to the back and one to the front."

For us, putting that in the back is against what you've actually told us to do. So we said fine, we'll have a cross



easement through the middle of the property which would mean the property to our east and our west. Some day we'll just cut through the middle of theirs if and when they ever get around to developing.

Is that something that we can say is a possibility?"

Supervisor Walter: "I think that's something that you could say is a possibility. I know we talked about a road, but- "

Councilwoman Giglio: "I can say as sitting in the planning board work sessions and watching applications come in, that the 1989 study that was done showed the easement or the roadway to go right in the middle. And that became very burdensome for developers because they were complaining that they had to build two buildings because this road would go right through their one building which is why I believe the study shows now that it was pushed in the back so that one building could be built rather than building two buildings around a road through the middle."

Deirdre Dubato: "All right. But if it stays in the- if it's in the middle, you're fine. Yes?"

Councilwoman Giglio: "Well, that's not what the supervisor is saying."

Supervisor Walter: "That's not a question we can answer right now."

Councilman Dunleavy: "We can't answer that question."

Deirdre Dubato: "Gosh. I thought I had you captive. All right, thank you very much and when my time comes up for public hearing for my building being built, I certainly hope all of our clients who are in town and here tonight come and support us.

Thank you."

Supervisor Walter: "Thank you."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Good evening. Can we get your-- Miss, can we get your name and hamlet for the record?"

Diane Sadowy: "Diane Sadowy, resident of Wading River. In 1970 Joanie Mitchell wrote and sang this song entitled Big Yellow Taxi.

Since it best conveys my concerns about the proposed development along the Wading River 25A corridor, I quote in part: They paved paradise and put up a parking lot with a pink hotel, a boutique and a swinging hot spot. Don't it always seem to go that you don't know what you've got 'til it's gone? They paved paradise and put up a parking lot.

They took all the trees and put them in the tree museum and they charged all the people a dollar and a half to see them. Don't it always seem to go that you don't know what you've got 'til it's gone? They paved paradise and put up a parking lot.

Hey, farmer, farmer, put away that DDT now (they did that). Give me spots on my apples and leave me the birds and the bees please. Don't it always seem to go that you don't know what you've got until it's gone?

So please be careful as you pave our paradise. Leave the trees, plant some more and put up if you must a very small parking lot.

Thank you."

Supervisor Walter: "Thank you. Diane, next time you have to sing it. Go ahead."

Martin Sendlewski: "Good evening, Martin Sendlewski, Calverton.

I just have a quick comment about the change in the CR zone on the buildings with floor area exceeding 10,000 feet being prohibited.

Just to make a point. In the definition section of the town zoning ordinance you have one definition for building area which includes covered porches and you have a definition for

commercial floor area which excludes it.

So if you could just clarify in the code and I would prefer that it would clarify that it would be a 10,000 building excluding covered walkways. So that if you have a store, if you have a (inaudible) out front, whatever, it's not included in the footage.

This is a housekeeping issue.

Also just a quick note on the cross easements I was going to comment about that. But I mean it works all over town. I don't know why the town's micro-managing it saying it's got to be a driveway or a road. Just make it an agreement between neighbors.

It's being doing that forever. I don't see why you micro-manage that. It doesn't make sense."

Supervisor Walter: "Thank you. I'm sorry."

Martin Sendlewski: "Now getting to the-- couple of the questions I had were already answered by the consultants. I won't get into them.

But he'd answered that the town board will be declaring lead agency and they prepared an EAF I believe that will then be acted on in the near future by the town.

Is there a declaration as to the type of action that this is, a type I or a type II or unlisted?"

Supervisor Walter: "They are going to answer that for you."

Martin Sendlewski: "They're going to answer it meaning?"

Supervisor Walter: "They're going to take your question and answer it at the end of the comments."

Martin Sendlewski "Okay. Because when they were hired back a year ago, it was declared a type II action. So I'm presuming then that this is being carried out under the

guidelines of a type II action.

The resolution— it was Resolution 534 dated July 6, 2011, Now Therefore Be It Resolved, it's deemed a type II action pursuant to 6NYCRR 615C 18 and 21. So I'm presuming that this is currently being considered a type II action at this point?"

Supervisor Walter: "You keep asking and I'm telling you that they're going to answer at the end."

Martin Sendlewski: "Okay. The— back here, under the original resolution when this quote unquote study was started and it was deemed a type II action, it basically referred to two sections of the code, actually of SEQRA, under 617 and what it referred to is 617.5 and what they had referred to under SEQRA was— I just have to find the page, I'm sorry. I've got my page correct-- 617.5 here it is.

That basically what that refers to in SEQRA under type II is information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soil studies that do not commit the agency to undertake, fund or approve any type I or unlisted action.

So it says basically you just are gathering data, it's not a study.

Under item 21 which is also in the original resolution, it says conducting concurrent environmental, engineering, economic and feasibility studies and planning studies, so that's where it does— dovetail end, but it also says that will not commit the agency, being the town board, to engage in or approve such action.

So if this was started as a type II, this whole study, I don't believe you're in conformance with the SEQRA at all at this point.

I think that under, if you look back at the minutes to the meeting of July 6<sup>th</sup> and I'll reference them into this hearing, on minutes page 682 I had brought this up to the town board's attention prior to the meeting.

At that meeting Councilman Wooten said that they did take a hard look and that they-- basically all you're doing is looking at gathering data, information collection. That's right in the minutes of the meeting on page 682.

Subsequent to that, Mr. Hanley came in and the discussion whether this was relative to a type I or type II ensued and basically what had happened was we had noted that if you were to adopt something, that it would then be a type I action and at that point the Supervisor said you would have to look at it a second time and Rick Hanley came up and noted that-- and I'll just read it, this is very brief.

The recommendation for type II came out of the planning department. Basically says data collection studies and the like are type II actions. They make a distinction between actual data collection and studying an eventual implementation.

So then what was noted during the meeting by the Supervisor is and from there use SEQRA and this is where the difference is. So basically what Mr. Hanley said-- I'll just don't want to read it because I don't want to bore everybody. But it says if there were implementation issues at the end of the day, that's where we'd have to make another SEQRA decision. Okay. Being type I versus type II.

And that was correct at that stage. It was premature to talk about being a type I or type II at that time because you were only supposedly collecting data starting a preliminary study.

Now you're at that time, you know. You went from collecting data and doing a preliminary study and now you're changing zoning which is definitely falls under a type I or an unlisted action. It is not a type II action.

That is highlighted and I just want to highlight it for the record. On part 617.5B when they refer to a-- this is type II actions. This is under the very first part of type II actions. It says each of the actions on an agency type II list must, it doesn't say-- it says it must in no case have a significant adverse impact on the environment based on the criteria contained in 617.7C.

So if you go to 617.7C it says the creation of a material conflict with community's current plans or goals as officially adopted or approved as a master plan.

So it seems clear that this is a type I action. After the meeting in July I contacted the DEC to see if there was-- if there could be a valid challenge to the resolution when this was started. And they said realistically if the town claims they're only gathering data, that's what they're doing, the DEC will give-- will basically give you the leeway.

So if they say, you know, if you post a challenge, we go to them, they say we're just collecting data. We're not changing anything, they'll side with you. But the DEC said if they decide they want to change something as part of that study, then they're going to have a problem. It's going to be a type I action.

Now a type I action is going to require the information be distributed to other involved agencies, it's going to require a scoping hearing. It's not going to require an EAF, it's going to require a DEIS and eventually a FEIS. So it's a whole different set of rules that apply to this action if it's type I versus type II.

With regard to the article, and I just want to highlight one other thing because I actually agree with one thing that Miss Mendez said earlier tonight when she talked about the study not encompassing the entire scope and she actually quoted some sections of SEQRA saying that, and I guess it was segmented because it didn't include all of the areas it should have.

I just refer to a letter that was in the paper this past week on the guest spot in the Riverhead News Review where it was noted by Mr. Amper, I'll read the second paragraph.

I can think of no decision with larger importance than the future of the hamlet of Wading River which will land on the town board members this coming Tuesday and the impact will spread well beyond the rural hamlet in the western part of town to all Riverhead town hamlets (inaudible) will enlarge before them.

I happen to agree with that also as well as Miss Mendez that that would be the case. That it would go further. After this first step is taken another will be taken and another will be taken. If you refer to the very first section of SEQRA under 617.1 the authority and the purpose, the actual purpose of SEQRA, okay, has to do with determining public policy, okay, that you have to incorporate all of the actions and activities associated with an action and that may reasonably be deemed to result from this action, okay, as a policy decision.

So when you go through all of the requirements of SEQRA and then you get into the section with regard to segmentation it says that you have to take into account all of the variables and if you don't in making a determination you have to provide a written reason elaboration as to why you're not incorporating all of those areas.

I think that when you do this, you know, which area is going to be next? Is Jamesport going to come in and say you know we don't want this. Or on the flip side of the coin, are the people in the rural corridor that have no zoning, are they all going to band together and say you know what, we want more zoning. We want more choices.

What it amounts to is as a legislative body, as a town board, okay, you are the ones that are going to give all this information under SEQRA a hard look. That's the backbone on the SEQRA evaluation. It is the hard look by the lead agency.

And you're going to set a policy so when you change the zoning here, you're saying that the policy of this town and this lead agency, this town board, is— get your petition, come to us and tell us what you want and we'll do it. And the people are going to keep doing it later on and later on and that you cannot have because that will fly in the face of the master plan and it will just start here and it will not stop.

So I would recommend against the whole thing.

Thank you."

Supervisor Walter: "Thank you. Sir, state your name and hamlet for the record."

Father David Bertalari: "I'm Wading River. I'm here. My name is Father David Bertalari (phonetic) representing my mother. My brother lives here. My father died eight years ago and my mother is very old and when she dies, my brother and I will inherit the property. I don't live here but I come here every week to help her and perhaps I'll retire out here but my brother does work here and live here. So we do have a vested interest in this whole thing.

Now as a priest, I do teaching and I always say that if you are going to be a good teacher-- "

Supervisor Walter: "Father, where were you during the invocation?"

Father David Bertalari: "Was there an invocation? I came in a couple of minutes late, but I got most of it. But I-- but I always say if you want to be a good teacher you've got to be willing to make a fool of yourself. So if you want to laugh you can laugh because-- at what I say because maybe what I'm saying is really stupid. Maybe, I don't know. I don't know. I'm just kind of taking a brief look at this and I'm going to be brief so don't worry.

My first experience with Wading River was in 1971 when they had the (inaudible) and I remember that very well. I was a little kid at the time and it was 300 years old, this town is older than the United States of America. And it's said if a historic town becomes a modern metropolis or something like that with all this stuff that's going to be built.

Now as I'm listening to all this and I've read about it and heard about it, I say, well, why. What is the purpose of all of this? I've never seen so many houses for sale in Wading River. Almost every street you see a house for sale. You are going to build more houses?

We've got stores all over that are closed, empty spaces. You've got plenty of places for more stores. The taxes. People pay a lot of taxes. Now it's written-- I've read that maybe the so called Bush tax cuts may not be renewed. The taxes in New York City are going to-- New York State, are going to skyrocket if you read about it .



And then if the so called Obama-care has a whole bunch of taxes with it, the people's taxes are going to skyrocket. How are they going to afford to go to any restaurant or any store?

It's going to syphon off jobs from Riverhead and from- you say more jobs. They're going to be losing jobs out there. There are people here that represent small businesses. They're going out of business. One lady just said here she's going out of business and her pizza shop's going out of business. So it's going to happen.

We've got open stores. I don't see the benefit and further, yeah, maybe the government will get more taxes, maybe, if the stores don't close up and have boards over them. I don't know how they're going to stay in business.

It's just- maybe I'm really stupid but this is just some things that come to mind.

And then we also have to recognize you've got a lot of fancy stuff up there and used a lot of fancy language. Thankfully this man, I don't know his name, was very good at giving us, you know, a grass roots kind of understanding.

But the thing is, how do we know that stuff is all true. The people putting that up have a vested interest in this obviously so who knows how true all these statistics are, six kids, four kids, whatever.

I don't know. But my bottom line is- my bottom line is and bottom line, I'm going to stop, I'm going to stop. I know people say a priest too long. I'm going to stop.

But my point is. Last time I looked, this is still a democracy. The people of Wading River don't want it. Stop it, don't let the government roll over you and give you a bunch of baloney. You can stop the whole thing if you want to.

And that's my last- "

Supervisor Walter: "I don't know. Miss Hartnagel, that's a tough act to follow right there."

Jenn Hartnagel: "I know."

Supervisor Walter: "I just want to know on Sunday, do you get out in 60 minutes? Because my grandparents would not be happy if you're not out in 60 minutes, Father.

Miss Harnagel."

Jenn Hartnagel: "Thank you. Good evening. My name is Jenn Hartnagel, I'm speaking on behalf of the Group for the East End.

I want to begin by thanking the town board for bringing us to this stage within the process. I know it's been a long year and I want to add that we support the proposed map amendments, the rezoning text, and the comp plan amendments.

But I wouldn't be doing my job and I certainly believe this, that I think the town board can and should do more.

It's been made abundantly clear that this community sincerely cares about the hamlet's future and its desire to retain community character and the environment and that additional retail centers are not what's needed or wanted.

And I have to reiterate this point and echo what the RNPC supports in that I believe the town board should reconsider certain parcels or areas to be rezoned from BCR to MRP to further reduce the retail use.

And I make these suggestions with the following facts in mind.

The economic analysis cites a need for additional 88,000 square feet of retail. However we still have more than 200,000 square feet on the table and this is left even after you adopt the changes. And this is very problematic. This is an excess. How can you account for this gap?

And I just have to counter the argument that development at EPCAL shouldn't be used as an excuse or the rationale that we need more stores in Wading River.

And I also want to echo the concern that Wading River, it was never the intent that this area becomes a shopping center area for nearby hamlets. And, again, this is not in the

(inaudible) the community's vision.

If you look through the planning documents and the zoning documents dating back decades. It's clear that this is not what the community supports.

And can't your constituents count on the town board to protect and foster a sense of community that retains its character and quality of life?

The Group for the East End has never said don't build anything and we're not saying that at all. But it's 2012 and Riverhead can certainly do better than commercial sprawl that negatively impacts a community environment and the quality of life when it's in excess.

And I think that this is likely the last opportunity that this board is going to have to take a comprehensive look at the planning and zoning issues along this corridor.

And so we suggest that you make these slight amendments and adopt what you have on the table now swiftly. Obviously you've heard it tonight, there's severe development pressure and that's not going to go away.

So if you're going to do it, do it.

I do have a few comments since Frank and Todd are here pertaining to the MRP district. The MRP code is left out of the zoning attachments at the end of the chapters, the attachment 108 should probably be added into there.

Additionally we support the RNPC's recommendation to leave the MRP zoning district as is, without the option to build multi-family units that are not owner occupied.

And lastly there's a- there should be a slight amendment or clarification to Section 108-172 regarding the access and parking. That section states that a mix of uses is proposed, meanwhile the use section details that only one use is permitted. So hopefully that's a loophole we can close there and clarify that detail further tonight.

So, again, we support these changes and we ask you to do

more. I think this, you know, you have it within your authority as a matter of will at this point and I hope you choose to make your decisions based in the sound planning and zoning facts that have been brought before you.

Thank you."

Supervisor Walter: "Thank you. Good evening."

Jay T. Shea: "Good evening. My name is Jay Shea (phonetic) and I'm from Wading River. And I'm a proud resident of the town of Riverhead.

Thank you for the opportunity to address subjects related to today's public hearing.

The town board on a regular basis makes important decisions and is sometimes faced with making decisions that have wide ranging effects. We know that these decisions in the end are your alone to make. We certainly understand that.

I believe that as a board you are again faced with making decisions here that will affect not only a single hamlet and a critical portion of Route 25A in Wading River but ultimately the township in general.

I also believe that a rare opportunity is now present before us that will allow for changes that for the most part will be agreeable enough for all parties, whether they be property owners with current development proposals along that road, struggling business owners, future applicants and a great deal of community members that are concerned about potential tremendous increase in businesses and new buildings within that corridor.

So you ask, how is it that we can for the most part roughly satisfy all these parties and secure a middle ground solution?

The considerations now before you for changes in zoning that will positively reduce the size and type of buildings and their numbers will still allow for a viable alternative for neighbors to develop their property and reap similar returns for their significant and long time investments in these

properties.

Again, considerations for the greater and expanded distances between proposed structures and a roadway with consistent treed and vegetated buffers along the stretch of 25A will help reduce the currently planned and seemingly closer encroachment of buildings, parking lots and other permanent physical features onto this country corridor.

The consideration for expanded agricultural use allowances on existing actively farmed or fallow fields is important not only for promoting agricultural uses but will encourage our neighbors seeking these changes to continue to farm and continue to preserve this important agricultural legacy.

These and other important considerations I believe when taken as a whole will create a comprehensive solution that addresses the concerns and needs for all interested parties in many parts and will help to reduce impacts upon the corridor and the view sheds through Wading River, the westernmost hamlet of our town and the gateway to the jewel that is the north fork.

These are tough decision but when we all work together we can compromise. Agreeable solutions are allowed to emerge and take hold.

Thank you very much."

Supervisor Walter: "Thank you very much."

Steve Romano: "Good evening. Steve Romano. Intuitively and emotionally I could agree with what everybody is saying up here. But part of me after Father spoke about democracy, if my history taught me anything about the constitution, there's something called property rights and I think the founders and the framers of this great country, that was number one.

And what I really haven't heard and I have no horse in the race, is whether the developer is spoken to and if so don't they have rights in 2003 if there was a comprehensive plan by the alleged experts and central planners that said this is what you could build there. These folks bought the property. What happens to their property rights?

And I think I said that at the last meeting. If the people of Wading River or whoever want to reduce growth in building or actually would like nothing there, then I think maybe that group should sit down with the developers and see if they can negotiate a deal with the developers.

And I don't know where they get the money from, but that's the only thing that sticks in my craw. Again, I understand everything they're saying. Again, my emotions and intuitively, I agree with them. But when I start to deal with the reality and certain other things, that I don't think they've taken into consideration.

I just wanted to say I don't know. I think that was my question for the consultants. Did they sit down with the developers and I know Jim just said that and I don't know where this came from, would they get the same return? And even if they did I'm not sure that you know you could force them to build whatever the central planners want them to build.

Once their rights were there. That's what I don't understand. How do you take somebody's rights away? I know if I owned a piece of property there, I'd be pretty upset if I knew I could make a hundred thousand building a business and then make fifty building residential. I'm just using that as an argument.

And that's the piece of the puzzle that I don't hear. What about the developer's rights?"

Supervisor Walter: "Thank you, Mr. Barra. Good."

(Inaudible comment)

Supervisor Walter: "Camille, how are you doing?"

Camille Neighbor: "Hi."

Supervisor Walter: "Could you state your name and hamlet for the record?"

Camille Neighbor: "My name is Camille Neighbor. And I just (inaudible)."

Councilman Dunleavy: "Bring the mike down. Yeah."

Camille Neighbor: "Okay. I graduated Riverhead high school and thereupon I started working at the Beneficial Finance and the Suffolk Theater."

Supervisor Walter: "You want to talk to us."

Camille Neighbor: "Friday nights downtown Riverhead was the place to be. People shopping, they went out to dinner, they went to the movie and then came Tanger and the corporates on Route 58.

There went Riverhead. I moved to Wading River in '74. I worked at a place which I started off as a waitress and then I decided would be nice to own a place in the town where I lived. So I opened up Truffles which is 28 years old right now.

It's a lot of hard work. I'm a sole owner. I'm a working owner. I do 70 hours a week. I keep my business afloat.

I feel that if there was many more restaurants and whatever, that may hinder on keeping my business alive. And, you know, when someone puts a lot of hard work into something it's very hard to have somebody take it away.

And that's all I have to say. Thank you."

Steven Nagler: "My name is Steven Nagler and I'm from Wading River. And everything I'm about to say is right off the cuff. So if I'm not as eloquent as everybody before me, I apologize.

As I was sitting here I was looking at this mural behind me which was from 1976 or so it's dated. And I started thinking about all the other pictures in Brookhaven town hall and all the offices that are around Wading River and they all show nice scenic landscapings like this.

And I've yet so see one that shows a boarded up K-Mart, a closed down Blockbuster, empty strip malls, vacant parking lots. Nobody seems to really want to show that in their office. They love the farmland, they like the trees, they like the houses.

And I think it would be really hypocritical and disingenuous for even this town hall to display a painting like this as inspiration for the community and on the flip side, let's build all these nice little retail outlets but we're going to show everybody about the countryside.

And I just think that it's a little two faced. This is what we're going to promote that our town looks like, that Riverhead looks like, that Wading River looks like, then this is what we should teach."

Councilman Gabrielsen: "I'd like to- I would like to point out something right here, right now. You see that high school over there?"

Steven Nagler: "Excuse me?"

Councilman Gabrielsen: "I'm a councilman. You see that high school over there? That's (inaudible) Street school. Yes. I graduated from that. And you see that farmland? I have a farm, so I'm doing my part. So you missed your mark a little bit."

Supervisor Walter: "All right."

Steven Nagler: "I'm not quite sure what you mean by I missed by mark."

Supervisor Walter: "Okay, sir, are you done?"

Steven Nagler: "Yes."

Supervisor Walter: "Okay, thank you. Next speaker. Calm down.

Do you want to do that from your seat, Mr. Danby?"

Councilman Dunleavy: "Just bring the microphone over to him. Okay?"

Gordon Danby: "Thank you very much. (Inaudible)."

Supervisor Walter: "We'll try not to. Are you suggesting alcohol? Doesn't that keep your blood thin?"



Gordon Danby: "It works. No. I want to comment on this complex subject."

Supervisor Walter: "Gordon Danby."

Gordon Danby: "Gordon Danby, Wading River."

Supervisor Walter: "Put the microphone closer, sir."

Gordon Danby: "Okay. Let's try that again. Gordon Danby, Wading River. I came to this area in 1956 and our state highways which are by and large the same as now worked and we had Riverhead and other major towns for significant activities you couldn't get in the local area, the small hamlets.

And it was a pretty good deal. And then all the wave of over population developed. Thank God it basically stopped at the shores which is Wading River really of Riverhead and I have some comments on how our zoning has to face some of this.

The- well, first a little anecdote. In the mid-60's I went to the town board with other people from the Wading River civic and we were looking for zoning and a bunch of very prominent I'm sure decent local citizens pre-empted the meeting, came and pushed people like you guys out of the way and sat there and called us communists. And we were asking for a quarter acre zoning.

I'm telling this story for a reason. I mean obviously society evolves. Their descendants now probably like everybody else go for some limited zoning. Almost all unless they're trying to make money selling land which they can't make and so I bet their descendants would now approve of some level of zoning.

It evolves and we have to evolve. Again, if you look to the west, all the local governments totally screwed up everything. If you try to use the state highways, they're impossible. All the curb cuts and endless lights. You want to go to Smithtown, it takes you half a day and it's not as far as Patchogue according to the signs.

And so there's got to be something different done about all this. I'm not opposed to all zoning. I mean up at the old

factory on Sound Avenue turning that into a place to prepare vegetables is certainly a good zoning action.

I'll even say that I think the East Wind is a good one of a kind- one of a kind activity for the town and that the- if you look at- most of you were their meeting where people spontaneously come out. Nobody organized that, to St. John's Hall a winter ago I think it was, sometime back there, that they were just all saying spontaneously what I think is the feeling of people.

That we can't no longer let developers and their lawyers threaten the board that they're going to sue you. In fact, you are in charge. The planning board isn't in charge, they are helpers. You're the ones that are legally our leaders and you should insist on making the final decisions and you don't only represent people who want to develop something which is an honorable trade to a point, but you also represent the outpouring of citizens because they are the people.

And we need to change the zoning or inevitably when the economy gets going again the east end will just end up like the west end, over saturated. And that's inevitable unless we have different rules.

And I would suggest that we start to take a point that a zoning change has to serve by ultimately your judgment, you can ask some people to help you, the good of the community.

Because you can own your own land, it's an ancient premise that your own place is your property and that's a good one. It makes us free. But when you start to develop it or change it or sell it to somebody else to build God knows what, you are really doing things that are also the community's business or else you can argue the pros and cons and these things and it is difficult.

But you know damn well if you don't have rules you'll end up with a lousy deal for everybody and it's been said right here. So you have to change zoning to consider the merits of what's being done, not that it's some God given right because I don't think it is.

God made the land, we didn't. And we should make the

rules that a project is judged by its value and the value should mean not building endless repeats that will end up destroying everybody.

And if somebody comes forward with a zoning change that's good for the community, good for society, then, yes, you should look on it with favor. But nobody should have the right because he says I own the plan-- I own and my wife a lot of acreage and we give it to the Peconic Land Trust and we're not rich for just this reason.

I mean we're only here for a few years as I can attest to, I can hardly walk. But the world was here before us and it will be here after us and we should consider this difficult that you have authority, nobody else does, to try and put standards for zoning where the opinion of a large number of people like everybody was impressed including me and surprised-- pleasantly all the people who turned out at St. John's Hall a year or so ago.

And that has to be-- that's part of your duty too. These are your citizens and they're just-- and it's an honorable thing to build things and some of them are very good. But if they're just repetitive, endlessly repetitive and building more of the same when you don't need the damn thing, then it should be changed or the whole east end will end up being flooded like the west end.

And I don't think many of you want that. Thank you."

Supervisor Walter: "Thank you. Sid Bail."

Sid Bail: "A tough act to follow. I'll try to be very, very brief."

The Wading River-- Sid Bail, president of Wading River Civic Association. We support the amendments and the changes to the comp plan.

We have a few suggestions and one area of concern that has come up, particularly under MRP. Happy to see that agricultural production and its accessory uses is included.

You know, back before my time all of 25A was farms. We

have two farms in the Riverhead portion, that particular section, Bernie May's and John Congella's. And I think I can speak for many of the people in the community, we'd like to keep them vibrant and see the tradition passed on.

In terms of the alternatives, the professional offices and multi-family condominiums and that's the way it was expressed back in 1989, condominiums, owner-occupied condominiums.

In the revision that's suggested they talk about town houses and as well as multi-family condominiums and multi-family. I want to make it very clear. We strongly opposed that multi-family units. It opens up the door to many varieties of rentals.

I think the owner-occupied condominiums have worked well in Wading River and it ain't broke and there is no demand for it in any of the public meetings that I went to. It's not compatible with the existing housing tenure in Wading River.

The Rutgers study indicates that with rental units, although I think the school district could absorb it, there is a slight difference in the terms of number of children that they send to the school. And, again, this is not anti-family, anti-kids. We have two ourselves and we're going to keep them. And although they're quite grown, etc.

In terms of town houses as long as they're owner-occupied we would support it, support it. They could be done very, very well.

Now if you adopt the zoning change and you include the provision for rental unit, I want to make clear, it's on you, not on us. It's not like, well, you got what you asked for. No one asked for that, okay. This will work. Multi-family condominiums and/or town houses.

Very quickly. We favor the zoning changes on the parcels that were mentioned and realistically and you know it yourself from the study, the (inaudible), analysis, we've got a lot of potential retail, you know. Maybe it will never be developed but if a good portion of it is developed, Wading River will be a very, very different place.

Now the point was made, and I hadn't thought about it, this was brought up, about the amount of money that, you know, hard working, you know, Mr. Barra, you know pays in taxes and he is a hard working individual, and that is important to the community.

And it's kind of like, I guess what I'm talking about is gut check. What's important. If we have one scenario where it is more financially advantageous or the protection of certain values in the character of the community. You know, it's something that I think many of us feel very, very strongly about.

I think the alternatives that we're proposing are tax positives and that's something to keep in mind.

Mr. Danowski raised the issue of multi-families being too close to the road, etc. and I believe Dominique Mendez presented you with a decision paper from the consultant, Lisa Lagori (phonetic), talked about various ways that they could be better screened, not only more attractive to the people who would live there but also the people who would pass by.

You don't need the same kind of visibility that a retail business needs if you have a professional office or a multi-family residential condominium.

I want to thank you all and, you know, it's been a long road and I guess we have some more to go. But we feel very strongly about this and we're not trying to hurt anyone in the process.

Thank you for the time."

Barbara Fontana: "Good evening. My name is Barbara Fontana. I'm a resident of Wading River and I'm here because I love Wading River as I think most everyone in this room does.

I support a lot of what has already been said so I'll be very brief, but I just felt I had to speak at least for a minute.

I support you changing the five parcels that you're talking about but that is only a tiny step in the right

direction. You need to do more. There's so much more retail space that could be developed and it will ruin our hamlet.

So I'm really begging you to do more. Thank you."

Supervisor Walter: "Thank you."

Fred Hauck: "My name is Fred Hauck."

Councilman Dunleavy: "Can you raise that mike up, please? Thank you."

Fred Hauck: "My name is Fred Hauck, Wading River. I'm not that eloquent; I'm not that smart. Okay."

Mr. Dunleavy, you described a situation earlier today where you described the road, the 25A in Wading River and there's an ice cream parlor, used to be an ice cream parlor, etc., etc., etc.

Have you ever driven that road?"

Councilman Dunleavy: "Have I ever driven that road? I'm there all the time."

Supervisor Walter: "We're not going to-- sir, we're not going to get back and forth, we're not doing that."

Fred Hauck: "Not a problem. Okay. Well, I don't think you've driven it in October-- a weekend in October. Okay. Now you have a weekend in October and if you go approve commercial property, how are their customers going to get into their business?"

Well, they've got to do it by this thoroughfare, this-- let's see what they call it-- country corridor. Well, they're not doing it weekends in October. I know that for a fact because I can't get there during weekends in October.

So the next request will be put in all of this commercial space. We're giving you all of this money. We want to improve the roads. You're not here to improve the roads. You're here to maintain the roads. Okay. Improving the roads basically destroys the quality of life.

How can I explain that? Well, we can start at Veteran's Highway and 25 in Commack which then goes into the Smithtown Bypass. These used to be country corridors. Okay.

We then go from the Smithtown Bypass up 347 and because we have to have commercial space, why I don't know, but we have to have commercial space, we then took 347 and extended it in Port Jefferson- Port Jeff Station.

And the only thing that is saving the hamlet's future right now is one light at Shoreham Wading River high school because if people can actually drive the road, they might want to go there.

Thank you."

Supervisor Walter: "Are there any other speaker? Dick."

Richard Amper: "My name is Richard Amper. I'm not here speaking on behalf of the Long Island Pine Barrens Society. I'm not here speaking on behalf of RNPC. I'm a resident of Lake Panamoka and not a resident of Riverhead town.

I don't think that it's relevant that I live a mile and a half south of Route 25A and other people live a mile and a half north of it and they have a concern and I don't.

What we're concerned about is the mile and a half in between, from the border of Brookhaven town to Sound Avenue. I've been there for 40 years and during most of those 40 years I've been working to try to keep communities from being over-growth, not anti-growth. I don't know anybody in the environment that prefers a recession- have three jobs or doesn't mind losing his house.

We are all concerned about economic growth, just haven't seen very much of it.

This is (inaudible) we've heard over and over again tonight. I want to talk about some of the things we've heard tonight and I want to tell you what I think we can still do.

We keep hearing about how growth is good, growth is progress and most important growth is good for taxes. When the

economy gets bad we hear it twice as loud. But we don't have to imagine what this growth is going to look like in years from now. We just have to drive back 10 miles, we can see it.

Are the taxes low in eastern Brookhaven, western, Smithtown, Huntington? If non-stop development was going to work, it hasn't really delivered on that promise.

You people have the opportunity to say we need balance, a balance that doesn't exist to the west. We're not stopping progress, we're not anti-money. This town has a reputation for it being pro-development.

And I want to say something that will surprise you and I want to talk about what we've heard from other folks.

First, let's deal with the legalities. I'm not a liar, I don't even play one on television. The fact that the Knightland proposal was in litigation has no basis in reason or law for its exclusion from consideration.

And I think you probably will find when you start deliberating after you've heard all of what everybody had to say and which you heard at the church and the letters that have been written, and the hard work of the environmental and civic people here, I think you'll sit back and say, what do we do? How do we strike that balance? How are we fair to the developers who are constituents but how are we not, in fact, obliged to provide government by and for the people, not of by and for developers. That's not your function and you know that.

We heard from Mr. Danowski earlier that the Partridge proposal was developed with the expectation of continued existing zoning. No, it wasn't. They brought the project forward when they knew that you were considering changing the zoning. That's what happened there.

We've heard tonight about property rights and the legal responsibility to provide for property rights. I want to talk about property rights. I want to talk about Dominique Mendez's property rights and Jenn Hartnagel's and yours, and yours, and yours, and maybe selfishly mine because what goes around comes around.



If the property values go down because we've created a bad Wading River, we're all impacted. So you took an oath of office to represent the people's interest and there are more people on the planed than they are developers.

The other thing I want to say that has been misrepresented throughout this process and that I know you now know but I want everybody in this room to understand that in New York State judges do not, do not, substitute their judgment of local zoning matters for town boards.

You, under law, have the authority to make that decision. That's what these folks and not myself elected you to do. You have the authority to do it and the only time they ever overrule you is if you haven't thought it out, if you don't have a rational basis for doing it.

And you have heard from 400 people in Wading River and all of the people that have come out and everybody that has talked to you since then, all of the reasons why you need to consider the impact. And when you do that and you explain in your findings statement why you've done right by the people of Wading River and Riverhead town, the courts will stand and defend you as we all will.

Now I'm going to say something that's going to surprise you. I don't think anybody in this room will disagree that the five people in this board have sat in rapt attention to everything that was said here, whether it was pro-development or pro-community.

And what I'm going to say that will surprise you is and I read the paper and I read about the hard knocks and sometimes I give them, but in this process I have been more appreciative of the thoughtful consideration the members of this town board have given this issue.

I think you know- I think they know that this is one of the most important things they're going to do in their capacity on the town board and I've experienced it personally.

Mr. Gabrielsen is a businessman and he caused me as a result of my conversations with him to go back and examine the economic impacts on the people who are here in Wading River

running businesses now and those who will come.

And those people explained to me what he got me thinking about and that was it's not as though Mr. Barra is not going to succeed but Mr. Zoomas is. The problem is that it's one Wading River, it's a mile and a half stretch and what one guy does affects the other guy and so everybody's hurt if this doesn't make economic sense.

I know that people will come and tell you this is my property and I have the right to do what I want with it and if I make a mistake, that's my business. No. It's yours and it's ours.

I talked to Miss Giglio who visits Wading River many times a week and she understands how business is working and she's the pro-development person on this board. But she has taken an initiative beyond anything I've asked her to do to say how does this work if we don't get it right?

She has made suggestions including some that I want to talk about before I'm done that aren't just build anything, anywhere, any time, that goes to the heart of how traffic works and how people feel and the interaction between people and businesses.

I'm very appreciative of the thoughtfulness that I've gotten and the consideration that I've gotten from these two people.

Mr. Walter, you may not agree with everything he says and God knows I don't, but he chose Wading River and he cares about Wading River and our job is to make him understand our view and he knows full well that there is too much retail still planned for Wading River. And he knows that the town board hasn't worked that out.

It has to do with the town board members' views and politics and all kinds of stuff but he knows it's a problem and it's not too late. This public hearing is supposed to give you a chance for one more pause, one more— who said it— hard look at what's at stake and how we need to reconcile it.

How do we find the balance between the private property

rights of developers and the private property rights of our citizenry and how do we balance the quality of life rights of everybody in Wading River and beyond.

We've seen the mistakes of the past. How can we just do it again? Not here. This place matters too much to you.

Mr. Dunleavy has been listening in ways that I hear very few political people west of here listen. They don't listen. They plug their ears and they look the other way and he has been listening to people and has altered his view as we've gone along to say no, that made sense. We don't owe this thing to that person and we do owe this to people. He's listening.

And Mr. Wooten who knew Wading River before I did and I've known it for 40 years, is the man who most appreciated what Wading River was and put that foremost in his mind in terms of what it's going to be.

So we're asking you to consider a couple suggestions. You've heard people agree with a lot of what you've proposed but if the deal is to try to figure out, if indeed you acknowledge that we do not want over-development, too much retail that hurts not just the people who live there but the people that have businesses there, who have their life's investments made in these projects.

You ran for office and I don't have the nerve to do that, but you took on the responsibility to sort that out for them and for us. And so it makes eminently good sense and this is coming from people sitting right here, that we need to reduce that over-retail development and we can do that in the same way that you are doing it, with the MRP on the north side of the area across from King Kullen. By allowing for professional offices west of Wading River Road.

We don't continue to sprawl— Jodi when you drive past, go past Wading River and hang a left and go down and have a look at Route 25. You know as well as anybody on this board that's not what you want for your home town. And none of us does.

So let's continue the MRP instead of the business CR and let's stop putting on— putting bumper stickers on our car that say save Wading River. I think we need bumper stickers that

say save John Zoomas because the consultant's recommended the acquisition for that property. The Zoomas' didn't want it acquired. But they also understood the value of MRP there.

The same thing is working to keep retail from failing in Wading River on the north side should work on the south side. It should work for the west side as well as the east side.

You know that. I don't know whether you can reconcile- I think that Sean Walter is right. Oh my God, I said it. I don't think I've ever said that before. I'm not sure I ever thought it.

But I think he's right in one respect and that is you haven't resolved the problem of too much retail so try. Remember what you heard from these people. Remember what you heard from them when you were in Wading River with them. You know enough about this job to know the job's not quite finished yet. But I am not among those who believe that you do not want to do it and do it right. I do not.

I told you before that I have been working professionally to try to protect water quality. It continues to decline so I haven't done a perfect job on that.

We're protecting the pine barrens. That's really an enormous accomplishment and it's made Long Island a better place.

This is very personal to me because I view greater Wading River. It's my home town and if I can do all that I've done and put all the effort and make all of the visits to town halls and to the county legislature and to Albany, if I can do all of that for all of Long Island, it would be really heartbreaking not to be able to do it for my hometown.

And verily I say to you when you're done serving on this town board, what you do on this issue because it will affect every other hamlet in this town, what you do if it's different from what everybody else has done will be the most important thing to you that you will ever do in your life."

Supervisor Walter: "Anybody else wish to be heard tonight? Okay. Folks, start lining up because as soon as

Frank comments, that's going to be the— we're just going to be leaving it for written comments, so, go ahead Mr. Condzella."

John Condzella: "My name is John Condzella; I'm from Wading River.

First I want to thank Mr. Danby for his comments regarding owning property. It's the way I feel but unable to put into words.

We farm one of these parcels that you are considering changing the zoning on. We're continuing to work. My grandfather started quite a few years ago and it looks like it will go on after me. The next generation is already getting involved.

Referring back to this February meeting, one of the main requests from the people in the community was to see agriculture remain in Wading River, whatever is left of it and even possibly grow.

In order for me to be able to do that, it would sure be a lot easier if I wasn't surrounded by retail development, so the Condzella farming family approves the zoning changes that you are proposing here tonight, from business CR to MRP.

And we hope you do them as quickly as possible and most importantly without exception.

Thank you very much."

Supervisor Walter: "Thank you."

Ken Barra: "Ken Barra, Jamesport, New York. I'd like to thank all my friends coming out tonight here to help me endorse my project.

Let me just take this down for a second. Can I ask you a question? How many people shop at King Kullen here?"

Supervisor Walter: "Ken, Kenny, can you address us, please?"

Ken Barra: "This is— these are the people that have come

here to talk tonight so I'd like to also include them in the conversation. I think it's a little rude to have my back to them. You don't mind if I would stand this way, do you? Is that okay? Would that be okay with you, Mr. Supervisor?"

Supervisor Walter: "You're addressing the board."

Ken Barra: "Okay. The— can I ask you a question? How many people shop in King Kullen?"

Supervisor Walter: "Kenny, we're not— we can't make that part of the record. The people that speak at the microphone, that's part of the record."

Ken Barra: "Okay. So we have an issue of supply and demand. Sid, can you help me out with this a little bit with the economics?"

What I'm trying to make a point of is supply and demand. Let me see. If you go to King Kullen and you take 20 items from King Kullen and you go to Stop and Shop further down the road east and buy the same 20 items, I'm sure you're going to see there's a significant price difference in the items.

Why? Because there's only one King Kullen, one shopping center to go to.

Now I'm also sure that people in the audience also have presented numerous coupons to King Kullen in Wading River and were denied using them. We don't accept them here. We don't have to accept them here because we're the only game in town.

So we're not talking about an issue of just taxes. We're also talking about paying higher dollars because the landlords, the tenants are going to be paying more and so on and so on.

But before I start putting you all to sleep, when I was— my father raised me old school. He told me that if I worked hard and you became successful, if you worked hard you could become successful. My father had passed years ago, was decorated with many medals. The name of the restaurant in case you don't know it is Desmond's (inaudible). He fought for this country and was a disabled vet his old life.

I chose to buy a couple of pieces of property in the area for investment purposes. I'm not a developer. I have five children in case you don't know that. I have a 32 year old daughter, and eight year old daughter, a four and a half year old daughter, a two and a half year old son, and an eight month old son, and soon to be a grandfather.

Now you could say he got a little crazy in his old age- "

Supervisor Walter: "Some would say."

Ken Barra: "Some would say, okay. I work every day of the week. You could call East Wind any day, seven days a week, I'm there and you could be put through right to me. It's much easier to get a hold of me than the supervisor. I answer my phone on a daily basis and if I'm not answering my phone, it's because I'm out of town. I do get a couple of days off every now and then.

The point that I'm trying to make is that we're not just developers. We're people, we're part of this community. I've been here almost 40 years. My family has been here. My children go to school here; some will be going to school here. These kids will be going to college, hopefully.

This is not- this is my livelihood. This is what I do for a living and the part that gets me which my father is turning over in his grave and what he fought for for this country is for me to have the right to buy something.

I'm not here before you with a residential piece of property and asking you to rezone it to commercial. I was here nine years ago when the gentleman, the supervisor, was also part of the team and a lot of the people in this room were part of the rezoning that took place and the master plan was implemented.

And now nine years later, you want to change it again. And then nine years later, you are going to change it again? You've got to be kidding me. You really have to.

You people have no idea how hard the small business people work. We are what's keeping this country alive. Small business people like myself. We work seven days a week and

whether I agree with- I'm sorry, from Truffles, she's here 30 years, seven days a week. We don't have 45 hour work weeks. We don't get pensions. We're not cops that get pensions and our health insurance paid for us after we (inaudible) after 25 years or school teachers. We're self-employed.

Everything we must pay for and we also support in addition to that, every other thing that comes along with the county and the state including additional unemployment, MTA taxes and so on and so on. We get hit with this as small business people.

And I've really got to tell you. I've been here for 40 years. I know a lot of people in Rocky Point, Shoreham, Wading River customers that come to my facility that I've been friends with and have been friends with, and Riverhead. And the people of this town are very hard working people.

But for someone to come in and take a piece of property which I already did once for you which means the piece that I did on Sound Avenue, I took a one and a third beating, if we ever do close. I'd like you to sell something that you have for one-third of what it's worth. I want you to try to do that.

I work hard for my money. I work very hard. And the Zoomas family is a family that you can rely on. My father taught me in life if you could fill up one hand with people in life that you could depend on, you became successful.

Listen, if you've got time, and by the way just for a little side note. I also spent 10 years with the hospital in town. I donate a lot of my time and money towards a lot of numerous organizations. I don't like to toot my own horn but if this is done, this is ridiculous.

This is the last time that I'm going to speak publicly because I know the newspapers are going to tear me apart. I'm done. I have a family to go home to and I hope you all enjoy your life. Good night."

Councilman Dunleavy: "Thank you."

Supervisor Walter: "Thank you. Does anybody else wish to be heard tonight?"



Pascale Lewis: "Hi. My name is Pascale Lewis and I am a- probably one of the newest members in this community.

My family moved here about nine years ago. We live in I think one of the most unique communities in Wading River which is just adjacent to Camp DeWolf and I feel extremely lucky and blessed that we discovered this little niche of Mother Earth.

And we've said, and I brought, you know, I have two boys and we've been here, you know, nine years, and I've watched the gradual development and sort of what, quote unquote improvements, and am always taken aback by thinking, you know, this place is so unique. Do they know what they have here? And I keep saying it over and over and my wife and I say, please, not another- because we live in Manhattan and we're constantly being told that we're under-banked, we're under-Walgreens, we're under-Duane Reed, you know.

If you need to get something and you can go from block to block to block to get the same thing, it doesn't make the place unique anymore and someone said this place has been around for 300 years and this summer I've been out here- we usually summer out here and that's, you know, wonderful.

And what I've started to discover after driving around, trying to find things, you know, cow manure and things like that for the garden and I've run into farmers and I'm finding more amazing each drive and the discovery that I'm making is that the place is absolutely beautiful.

And you guys- I'm starting to realize this- coming up William Floyd Parkway and you know right there at Shoreham-Wading River school, it's sort of like- I'm realizing it's sort of like, that's the gate. You guys are- and then I'm realizing that you guys are gate keepers and you're really going to have to, you know, make this hard decision whether you want like so many of the people who came up here before me said, do you really want like-- it looks like back in the west.

I mean you have something unique and I think you should work from that uniqueness and try to derive the tax dollars from that. And, you know, and come up with better ideas. Because it's going to be short term thinking if you think the retail is actually going to generate the income that you feel

that you need and we need.

I mean every time we get our tax bill, we are like taken back also but at the same time we know what we're paying for. And it's the beauty of this place that we are paying for and for the next generation and the generation after that and the generation after that.

People don't want to come to see what they have already seen for the last 50, 75 miles. They don't— they won't come. And especially if it gets more congested, they won't come. I mean like one of the gentleman was saying about October, you know. We know not to go up 25A in October."

(At this time, the disk ended)

(Frank Fish spoke at the end of the hearing.)

Public hearing closed: 9:50 p.m.

Left open for written comment for 10  
days

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(There was a disk malfunction)

Comments on resolution:

Sal Mastropaolo  
Steve Romano

Resolution #638

Councilman Dunleavy: "CDBG Consortium 2010 budget adjustment. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #639

Councilman Wooten: "2012 law enforcement facility improvement budget adoption. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #640

Councilman Gabrielsen: "Calverton recreational park project budget adjustment. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #641

Councilwoman Giglio: "Highway district budget adjustment. Moved to table."

Councilman Dunleavy: "And seconded to table."

Supervisor Walter: "Moved and seconded to table. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is tabled."

Resolution #642

Councilman Dunleavy: "Riverhead sewer district budget adjustment. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #643

Councilman Wooten: "Authorizes professional services agreement for final audit of NYS parks grants. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #644

Councilman Gabrielsen: "Authorizes town to accept bike lockers from NYS DOT. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #645

Councilwoman Giglio: "Authorizes supervisor to execute contract and easement for Suffolk County downtown revitalization round 10 funds for downtown ice rink facility. Move to table."

Councilman Dunleavy: "Seconded to table."

Supervisor Walter: "Moved and seconded to table. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is tabled."

Resolution #646

Councilman Dunleavy: "Authorizes supervisor to extend 2010 New York State Main Street grant contract. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #647

Councilman Wooten: "Ratifies the promotion of a detective. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #648

Councilman Gabrielsen: "Accepts the resignation of a part time police officer. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #649

Councilwoman Giglio: "Appoints a public safety dispatcher to the police department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #650

Councilman Dunleavy: "Ratifies the appointment of a temporary custodial worker I. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #651

Councilman Wooten: "Appoints member to the Zoning Board of Appeals of the town of Riverhead. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #652

Councilman Gabrielsen: "Ratifies the appointment of a part time kennel attendant to the police department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #653

Councilwoman Giglio: "Promotes wastewater plant operators in the sewer district. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #654

Councilman Dunleavy: "Authorizes the supervisor to execute stipulation of settlement with Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Riverhead unit of the Suffolk Local #85 (CSEA). So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #655

Councilman Wooten: "Authorizes the town clerk to publish and post a help wanted ad for an executive director of youth bureau. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #656

Councilman Gabrielsen: "Authorization to publish advertisement for food products for the town of Riverhead. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #657

Councilwoman Giglio: "Appoints a call in seasonal beach attendant to the recreation department. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #658

Councilman Dunleavy: "Authorizes town clerk to publish and post public notice for public hearing regarding a local law to amend Chapter 26 entitled officers and employees of the Riverhead town code. So moved."

Councilman Wooten: "And seconded."

Supervisor, Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #659

Councilman Wooten: "Adopts a local law to amend chapter 101 entitled vehicles and traffic of the Riverhead town code (Section 101-7 Turns). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #660



Councilman Gabrielsen: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 108 of the Riverhead town code entitled zoning (Section 108-56.1 sign permits). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #661

Councilwoman Giglio: "Accepts 100% security of Headriver LLC (Wal-Mart project). So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #662

Councilman Dunleavy: "Accepts donation of 100 trees from Barbara and Jim Cromarty and Riverhead Raceway for planting throughout the town. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #663

Councilman Wooten: "Accepts a local law amending Article IV early retirement incentive program for eligible full time police officers of Chapter 37 entitled retirement of the Riverhead town code. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #664

Councilman Gabrielsen: "Amends Resolution #611 of 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. Resolution is adopted."

Resolution #665

Councilwoman Giglio: "Authorizes the supervisor to execute an agreement with Suffolk County for operation shield grant program. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #666

Councilman Dunleavy: "Accepts the retirement of the executive director of youth bureau. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #667

Councilman Wooten: "Approves Chapter 90 application of Church of the Harvest (rock the river/car show - September 8, 2012). So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #668

Councilman Gabrielsen: "Approves the Chapter 90 application of The Long Island Corvair Association - September 23, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #669

Councilwoman Giglio: "Approves the Chapter 90 application of Garden of Eve LLC - LI Garlic Festival. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #670

Councilman Dunleavy: "Approves the Chapter 90 application of George M. Bartunek - antique car show - September 30, 2012. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #671

Councilman Wooten: "Resolution to authorize the town of Riverhead to donate money to Riverhead High School Key Club for recycling education programs. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #672

Councilman Gabrielsen: "Authorizes town clerk to publish and post public notice to consider a local law to amend Chapter 108 entitled Zoning of the Riverhead town code (parking schedule). So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #673

Councilman Gabrielsen: "Approves Chapter 90 application of Railroad Museum of Long Island - toy train play days - October 6 and 7, 2012. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #674

Councilman Dunleavy: "Authorizes the town by and through the town of Riverhead senior center, to enter into an agreement with Ace in the Hole Productions, Inc. for entertainment/performance at the senior center. So moved."

Councilman Wooten: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #675

Councilman Wooten: "Authorizes town clerk to publish and post notice to bidders for calcium hypochlorite tablets. So moved."

Councilman Gabrielsen: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #676

Councilman Gabrielsen: "Resolution officially naming the park located in South Jamesport as Miamogue Point Park. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

Resolution #677

Councilwoman Giglio: "Pay the bills. So moved."

Councilman Dunleavy: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Gabrielsen, yes; Wooten, yes; Dunleavy, yes; Walter, yes. The resolution is adopted."

General comments:

Sal Mastropaolo

Meeting adjourned